



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

H.C.P. [MD] .No.1581 of 2016

Sunil : Petitioner

Vs.

1.The Superintendent of Police,
Nagercoil,
Kanyakumari District.

2.The State rep. by
the Inspector of Police,
Nithiravilai Police Station,
Kanyakumari District.

3.Xavier : Respondents

PRAYER: Habeas Corpus Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the body or person of the petitioner's wife, the detenu viz., Emi @ Emi Mol D/o.Late Wilson, aged 34 years before this Court and set her at liberty.

For Petitioner	: Mr.C.Kishore
For respondents	: Mr.A.Ramar,
1 & 2	Additional Public Prosecutor

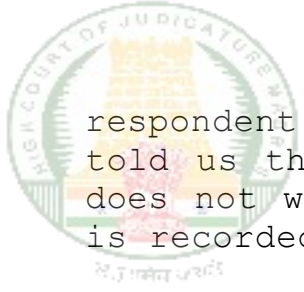
O R D E R

[Order of the Court was made by **S.NAGAMUTHU, J.**]

The petitioner is the husband of one Emi @ Emi Mol, aged about 34 years. They have got two children, out of their wedlock. The children are now in the custody of the petitioner. According to the petitioner, the detenu has been missing from 06.11.2016. He has alleged that she is now in the illegal custody of the third respondent.

<https://hcservices.ecourts.gov.in/hcservices/>

2.Today, when the matter was taken up for hearing, the second



respondent produced the detenu before this Court. On enquiry, she told us that now she is living with the third respondent and she does not want to go back with the petitioner. The said statement is recorded.

3. Since the detenu is a major, this Habeas Corpus Petition is dismissed giving liberty to the detenu to choose her own way of life.

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Nagercoil, Kanyakumari District.

2. The Inspector of Police,
Nithiravilai Police Station, Kanyakumari District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 cc to M/s.C.Kishore, Advocate in SR.No. 74380

gcb
CSL/GSV-PM/02.01.2017 : 2P/5C

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