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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 27.04.2016

Coram

THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE B.GOKULDAS

H.C.P.(MD)No.299 of 2016

Jayaraj

.. Petitioner

Vs.

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

2.The Inspector of Police,
All Women Police Station,
Marthandam,
Kanyakumari District.

3.J.Jenit Prabha
(R3 impleaded vide order
dated 27.04.2016)

.. Respondents

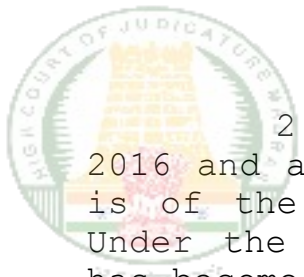
Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue a Writ in the nature of WRIT OF HABEAS CORPUS directing the respondents to produce the body or corpus of the Petitioner's wife Jenit Prabha aged about 33 years and his minor son Joyan Shock, aged about 5 years before this Court and set them at liberty.

For Petitioner	:	Mr.S.Ramakrishnan
For RR - 1 & 2	:	Mr.K.S.Duraipandian
		Addl.Public Prosecutor
For R - 3	:	Mr.C.Gangaiamaran

ORDER

(Order of the Court was made by **A.SELVAM, J.**)

This Habeas Corpus Petition has been filed under Article 226 of the Constitution of India praying to direct the respondents 1 and 2 to trace out and produce the detenu by name Jenit Prabha, aged 33 years, wife of the petitioner and Joyan Shock, aged 5 years, son of the petitioner.



2.Considering the averments made in Crl.MP(MD)No.3703 of 2016 and also considering the documents filed therein, this Court is of the view that the detenu has gone to a foreign country. Under the said circumstances, the relief sought in the petition has become infructuous.

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3.The learned counsel appearing for the third respondent has contended that one of the detenu by name Joyan Shock, aged 5 years has already been handed over to the petitioner.

4.Considering the relationship between the said detenu and petitioner, the petitioner is directed to keep the detenu.

5.In fine, this Habeas Corpus Petition is dismissed.

Sd/-

Assistant Registrar(Crl.Side)

/True copy/

Sub Assistant Registrar
Madurai Bench of Madras High Court,
Madurai.

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To

- 1.The Secretary to Government
Home and Excise Department, Fort St., George, Chennai.
- 2.The District Magistrate and District Collector,
Kanyakumari District at Nagercoil.
- 3.The Superintendent of Police,
Kanyakumari District at Nagercoil.
- 4.The Inspector of Police,
All Women Police Station, Marthandam, Kanyakumari District.
- 5.The Joint Secretary to Government, Fort St George Chennai-9
- 6.The Addl. Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 cc to Mr.S.Ramakrishnan, Advocate, SR No.24289

+1 cc to Mr.C.GANGAI AMARAN ,Advocate, Sr.No: 25322

RG.AAL-MPA/SAR-II 17.05.2016

2P/9C

H.C.P. (MD) No.299 of 2016
27/04/2016
(2/2)