



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.06.2016

CORAM:

THE HON`BLE MR.JUSTICE K.K.SASIDHARAN
AND

THE HON`BLE MR.JUSTICE B.GOKULDAS

HCP(MD) No.702 of 2016

SAMSKANI

..PETITIONER

Vs.

1 THE SUPERINTENDENT OF POLICE,
O/O SUPERINTENDENT OF POLICE,
TUTICORIN DISTRICT.

2 THE INSPECTOR OF POLICE,
TUTICORIN SOUTH POLICE STATION,
TUTICORIN DISTRICT.

3 Mr.GANESAN @ THAJUDEEN

..RESPONDENTS

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the Respondents No.1 and 2 to produce the body or person of the Petitioner's wife, namely Shakila Banu, wife of Samskani, aged about 34 years old before this Honourable Court and hand over the custody to the petitioner.

For Petitioner : Mr.R.Karunanidhi
For Respondents 1&2 : Mr.C.Mayilvahana Rajendran,
Addl.Public Prosecutor

ORDER

[Order of the Court was made by K.K.SASIDHARAN,J.]

The second respondent produced the detenu before us. The detenu informed us that she left the matrimonial home along with the third respondent. According to her, she married the third respondent earlier and in the said wedlock, two children were born. Even after marrying the petitioner, she got a child through the very same third respondent. The detenu, further, submitted that she is not interested to go with the petitioner. She wanted to go with the third respondent.

2. The detenu is a major. She is not in illegal custody. She is set at liberty.

3. The Habeas Corpus Petition is closed with the above observation.

sd/-

Assistant Registrar(Records)



TO

1 THE SUPERINTENDENT OF POLICE,
O/O SUPERINTENDENT OF POLICE,
TUTICORIN DISTRICT.

2 THE INSPECTOR OF POLICE,
TUTICORINSOUTH POLICE STATION,
TUTICORIN DISTRICT.

3 THE ADDL.PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S R.KARUNANIDHI Advocate SR.No.33490

HCP(MD) No.702 of 2016
Date :27/06/2016

sml

PBK/SK-SKN/SAR-I 04/07/2016 ::2P-5C::