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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.08.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

and

THE HONOURABLE MR.JUSTICE B.GOKULDAS

H.C.P(MD)No.922 of 2016

R.Kalyana Sundaram

.. Petitioner

Vs.

1.The Superintendent of Police,
Thanjavur District, Thanjavur.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thiruvidaimarudur, Thanjavur District.

3.The Inspector of Police,
Thiruvidaimarudur Police Station,
Thanjavur District.

4.V.Asaithambi

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents 1 to 3 to produce the body or person of the petitioner's wife, namely, Niveditha, D/o.Asai Thambi, aged about 22 years, before this Court and set her at liberty.

For petitioner

: Mr.R.Maheswaran

For Mr.M.Palaniraja

For respondents 1to3

: Mr.C.Mayil Vahana Rajendran

Additional Public Prosecutor

O R D E R

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

The petitioner as well as the detenu appeared before us. The detenu reiterated that she wanted to go only with her parents, with whom she has come to this Court. The detenu wanted us to direct the petitioner to hand over her certificates.

2. We have examined the petitioner. According to the petitioner, he is not in possession of the certificates of the detenu. The petitioner further informed us that the police have taken certain statements to make it appear as if he is in possession of the certificates. The petitioner maintained that he is not in possession of the certificates.



3. We are, therefore, of the view that under the said circumstances, we cannot direct the petitioner to hand over the certificates. It is open to the detenu to take appropriate action in accordance with law to get copies of the certificates.

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4. The detenu is a major. She is set at liberty.

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

Sd/-

Assistant Registrar(CS II)

/True copy/

Sub Assistant Registrar

To:

- 1.The Superintendent of Police,
Thanjavur District, Thanjavur.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thiruvidaimarudur, Thanjavur District.
- 3.The Inspector of Police,
Thiruvidaimarudur Police Station,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.M.Palaniraj, Advocate SR.No.42738

NB

sm:KBM:16.8.2016:2P/6C

ORDER MADE IN
H.C.P (MD) No.922 of 2016
08.08.2016