

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.04.2017

CORAM

THE HONOURABLE MR. JUSTICE S.NAGAMUTHU
and
THE HONOURABLE DR.JUSTICE ANITA SUMANTH

H.C.P No.147 of 2017

B.Sivakumar

.. Petitioner

Vs

1.The Inspector of Police,
Tiruvannamalai Taluk Police Station,
Tiruvannamalai and District.

2.The Superintendent of Police,
Tiruvannamalai District at
Tiruvannamalai.

3.Silmabarasan

4.Kutty @ Kumar

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution to issue a writ of Habeas to direct the respondents to produce the body and person of the detenus by name Sathya aged 31 years, Adhipagalavan aged 11 years and Sandhya aged 9 years and Deepika aged 7 years viz., wife and children of the petitioner respectively who are under the illegal detention of the respondents 3 and 4 and produce them before this Court and set them at liberty.

For Petitioner : Mr.T.Shanmugam

For RR1 & 2 : Mr.V.M.R.Rajentren,
Additional Public Prosecutor

ORDER

(Order of the Court was made by S. NAGAMUTHU,J.,)

The petitioner is the husband of one Mrs.Sathya, aged 31 years. They have got three children. According to the petitioner, his wife and children were found missing from 17.08.2016 onwards and they have been illegally confined by the respondents 3 and 4 herein.

2.The learned Additional Public Prosecutor appearing for the respondents on instructions from the respondents 1 & 2 would submit that there is no truth in the said allegations made by the petitioner. According to the learned Additional Public Prosecutor, Mrs.Sathya, the wife of the petitioner has made a statement before the Police that she was harassed by the petitioner and hence, she has been now living separately with her three children.

3.In view of the said statement made by Mrs.Sathya, before the Police, we find that there is no illegal detention of the detenues. Hence, the Habeas Corpus Petition is dismissed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

jbm

To

- 1.The Inspector of Police,
Tiruvannamalai Taluk Police Station,
Tiruvannamalai and District.
- 2.The Superintendent of Police,
Tiruvannamalai District at
Tiruvannamalai.
- 3.The Public Prosecutor,
High Court, Chennai.

सत्यमेव जयते

H.C.P.No.147 of 2017

PA(CO)
VR(25/4/2017)

WEB COPY