

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.11.2017

Coram:

The Honourable Mr. Justice RAJIV SHAKDHER
and
The Honourable Mr. Justice N. SATHISH KUMAR

H.C.P.No. 2015 of 2017

M. Saritha, Female,
Age 28 years ..Petitioner/Complainant

Versus

1. The State of Tamil Nadu,
Represented by its
Commissioner of Police,
Chennai Police, Chennai.
2. Inspector of Police,
S-15, Selayur Police Station,
St. Thomas Mount District.
3. Mrs. Parameshwari
4. Mr. P. Duraipandi, ...Respondents

PRAYER: This Habeas Corpus Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Habeas Corpus directing the second respondent to bring the 3rd and 4th respondent, who detained the petitioner's husband illegally and produce the petitioner's husband Mr. Sam Ponraj, M/35, S/o. Mr. Dharmaraj and set him free from the illegal custody of 3rd and 4th respondents.

For Petitioner : Mrs. G. A. Girija Venkataraman

For Respondents: Mr.V.M.R. Rajentran,
Additional Public Prosecutor

O R D E R

(Order of the Court was made by RAJIV SHAKDHER, J.)

1. The detenu, Mr.D.Sam Ponuraj, has been produced by the Police.

2. The petitioner is the wife of the detenu.

2.1. We have interacted with the detenu.

2.2. Our interaction with the detenu has revealed that he had entered into a relationship with one, Ms.Pamila, prior to his marriage with the petitioner, which, apparently, continued thereafter.

3. The detenu is, thus, not in illegal custody of Ms. Pamila or respondent Nos.3 and 4 as alleged in the petition.

4. Since, the detenu has informed us that he would not like to return to his wife, no further orders can be passed in this petition atleast.

5. Needless to say, the petitioner would be at liberty to take recourse to any appropriate remedy, albeit, in accordance with law.

6. Accordingly, the petition is consigned to record.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

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1. The Commissioner of Police, Chennai Police.

2. The Inspector of Police,
S-15, Selayur Police Station,
St. Thomas Mount District.

3. The Public Prosecutor, High Court, Madras.

+ 2 ccs to Mr.G.A. Girija Venkatarman, Advocate sr.81033
+ 1 cc to Mr.Ansari, Advocate SR.81009

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RJ(CO)
EU(08/01/2018)