

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21-06-2017

CORAM

THE HONOURABLE MR.JUSTICE NOOTY.RAMAMOHANA RAO
AND
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

HCP No.991 of 2017

Ramya

.. Petitioner

vs.

1. The Superintendent of Police,
Thiruvallur District,
Thiruvallur.
2. The State Represented by
The Inspector of Police,
Thiruthani Police Station,
Thiruvallur District.

3.Asha

.. Respondents

This Habeas Corpus Petition is filed under Article 226 of the Constitution of India, directing the respondents to produce the petitioner's husband, namely, Madhavan, aged 35 years, S/o.Mohan before this Court and handed over him to the petitioner.

For Petitioner : Mr.P.Krishnan

For Respondents 1&2 : Mr.V.M.R.Rajentran,
Additional Public Prosecutor.

ORDER

(ORDER OF THE COURT WAS MADE BY NOOTY.RAMAMOHANA RAO, J.)

This petition is instituted by a 32 year old wife, seeking a Writ of Habeas Corpus for causing the production of her husband Madhavan. It is alleged that the said Madhavan is illegally confined in custody by the third respondent.

2. It is the case of the writ petitioner that she is a

resident of Thekkalur village, Thiruthani Taluk, Thiruvallur District and the third respondent is also a resident and native of the same village. The case of the writ petitioner is that on 20.4.2017, the husband of the writ petitioner went out to attend to his daily work, but he did not come back home thereafter. The writ petitioner made efforts to trace him out and came to know that her husband is in the illegal custody of the third respondent and she was not able to secure his liberty from the third respondent. Hence, she filed the above writ petition.

3. Today, pursuant to the notice issued by us in the above case on 15.6.2017, the Inspector of Police Sri J.Vinayagam, Thiruthani Police Station, Thiruvallur District, has caused the production of the alleged detenu Madhavan and the writ petitioner was also present in the Court.

4. We have interacted both with the Inspector of Police, Thiruthani and also the alleged detenu Madhavan. The Inspector of Police informed us that by securing help of a Lawyer, Madhavan, on his own, turned up and surrendered before the police yesterday and hence they could cause his production today before the Court.

5. We are of the opinion that the alleged detenu is acting as per his whims and fancies, more than out of exercise of proper discretion.

6. Be that as it may, now that the alleged detenu is produced before us and the alleged detenu has assured us that he will not cause any further embarrassment to his wife, the writ petitioner herein, and also will look after his wife and the two children properly.

7. We are satisfied that the liberty of the detenu as prayed for in this writ petition, can be granted by setting forth at liberty the alleged detenu. However, the police will also counsel both the writ petitioner as well as her husband, the alleged detenu, not to cause this kind of stress and strain to the public administration in future. Accordingly, this Habeas Corpus Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

Svn

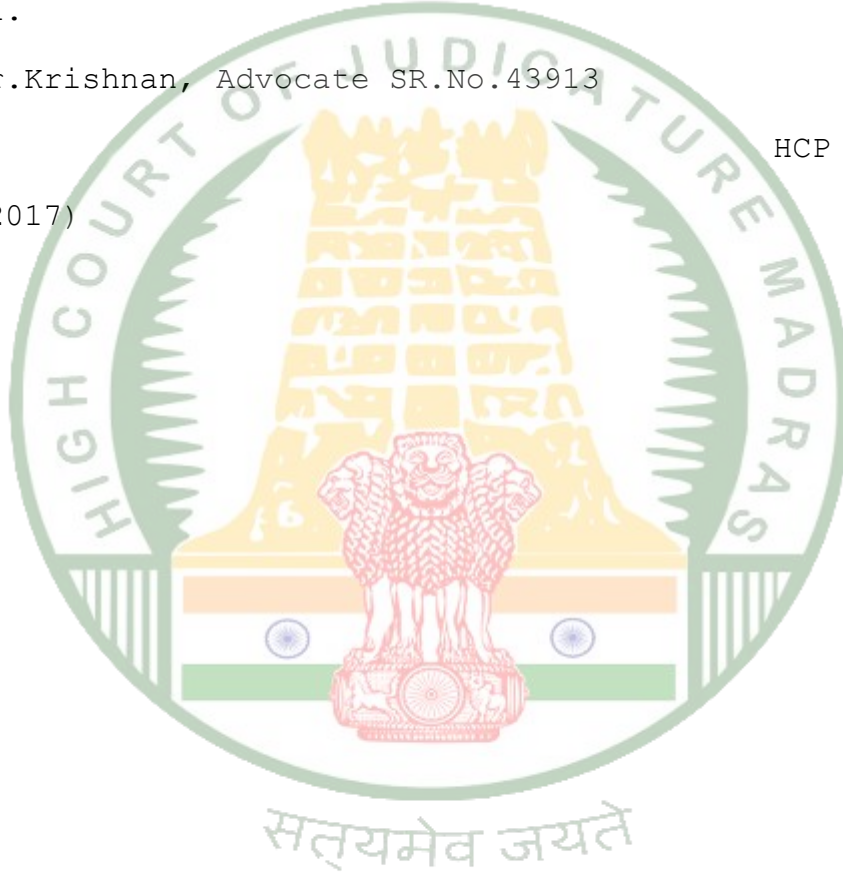
To

1. The Superintendent of Police,
Thiruvallur District,
Thiruvallur.
2. The Inspector of Police,
Thiruthani Police Station,
Thiruvallur District.
3. The Public Prosecutor,
Madras High Court,
Chennai.

+1cc to Mr.Krishnan, Advocate SR.No.43913

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