

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.03.2017

CORAM

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

H.C.P No.309 of 2017

Kuppusamy

.. Petitioner

Vs

1. The Superintendent of Police,
Villupuram District.
2. The Deputy Superintendent of Police,
Kallakurichi Range,
Villupuram District.
3. The Inspector of Police,
Thiyagadurgam Police Station,
Villupuram District.
4. Nataraj

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus to direct the 3rd respondent to produce the body and persons of the detenus namely Vijayalakshmi, W/o.Murugan, aged 22 years and Akshayaraj, S/o.Murugan aged 8 months from the illegal custody of the 4th respondent and set them at liberty.

For Petitioner : Mr.S.Mohamed Ansar

For Respondents

1 to 3 : Mr.V.M.R. Rajentren
Addl. Public Prosecutor

ORDER

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

The petitioner is the father-in-law of one Mrs.Vijayalakshmi, wife of Mr.Murugan. She is aged about 22 years. She has got a child by name Akshayaraj, aged 8 months. According to the petitioner, the detenu has been found missing from 16.08.2016 onwards. In this regard, on a complaint made by the petitioner, a case has been registered by the third

respondent in Crime No.1/2017. Since the detenue was not secured, the petitioner has come up with this Habeas Corpus Petition.

2.Today when the matter is taken up for hearing, the detenue was produced by the third respondent along with her child. She told us that since she was tortured by her husband, she left the matrimonial home and she has been now living with her sister. She further told us that she is not willing to along with her husband and she is willing to go along with her parents. The said statement is recorded.

3.The husband of the detenue Mr.Murugan also made appearance. He submitted that he suspected the fidelity of the detenue and therefore, he is not willing to take her back to the matrimonial fold. The said statement is recorded.

4.In view of the above, nothing survives in this petition and accordingly, the Habeas Corpus Petition is dismissed and the petitioner is set at liberty. The parties are at liberty to work out their remedies in the manner known to law.

Sd/-
Assistant Registrar(CS II)

//True Copy/

Sub Assistant Registrar

jbm
To

1. The Superintendent of Police,
Villupuram District.
2. The Deputy Superintendent of Police,
Kallakurichi Range,
Villupuram District.
3. The Inspector of Police,
Thiyagadurgam Police Station,
Villupuram District.
- 4.The Public Prosecutor,
High Court, Chennai.

+ 1 cc to Mr.S. Mohamed Ansar, Advocate SR.15586

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AK(CO)
EU 4.4.17