

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2017

CORAM

THE HONOURABLE MR.JUSTICE M.JAICHANDREN
and
THE HONOURABLE MR.JUSTICE T.MATHIVANAN

H.C.P.No. 2648 of 2016

V.Chinna Ezhumalai .. Petitioner

Vs.

1.The Station House Officer
D'Nagar Police Station
Puducherry

2.Gnana Sakthivel

3.Shanmugam .. Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus directing the respondents to secure the detenues, viz., the petitioner's wife Chithra (20 years) and the petitioner's daughter Yashika (3 ½ years) who are under the illegal detention of the 2nd and 3rd respondents and to produce before this Court and set them at liberty.

For Petitioner : Mr.K.Sasindiran

For Respondents : Mr.V.Balamurugan
Additional Public Prosecutor for R1

Service Awaited for R2 and R3

ORDER**[Order of the Court was made by T.MATHIVANAN, J.]**

The detenue Chithra along with the child aged about 3 ½ years have been produced by the first respondent police. The petitioner herein claims himself to be the husband of the detenue Chithra. It is alleged that the detenue along with the child had eloped with the second respondent herein and therefore the petitioner, being her husband, had lodged a complaint with the first respondent police and in pursuant to the complaint, a case in Crime No.201 of 2016 on 24.09.2016 under the caption "Woman Missing", was registered.

2. On enquiry, she has stated that the second respondent is only her friend and that she did not elope with the second respondent as alleged by the petitioner. She has also stated that she is not interested to go along with the petitioner and she expressed her willingness to live with her parents.

3. Since the detenue is a major and she is not under the illegal custody of the second respondent, we are of the view that she can be

allowed to live along with her parents as expressed by her.

Keeping in view of the above fact, this petition is closed as no further order is required.

[M.J. J.] [T.M.J.,]

02.01.2017

Index : Yes/No

Internet: Yes

To

1.The Station House Officer
D'Nagar Police Station
Puducherry

2.The Public Prosecutor
High Court, Madras.

M.JAICHANDREN J.
AND
T.MATHIVANAN, J.

gpa

H.C.P.No.2648 of 2016

02.01.2017
<http://www.judis.nic.in>