

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2017

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN
and
THE HON'BLE MR.JUSTICE M.V.MURALIDARAN

H.C.P.No.2712 of 2016

B.Anand Viswanath

... Petitioner

Vs

1. The Superintendent of Police,
Villupuram District,
Villupuram.
2. The Inspector of Police,
Tindivanam Town Police Station,
Tindivanam.
3. Esantharaj

.... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS, directing respondents to produce the body and person of the petitioner's wife, by name, E.Divya, aged about 25 years, now under the illegal custody of the third respondent, before this court and to set her at liberty, forthwith.

For Petitioner : Mr.S.Sathia Chandran

For Respondents : Mr.V.M.R.Rajentran,
Additional Public Prosecutor
for RR1 and 2

ORDER

[Order of the Court was made by M.JAICHANDREN,J.]

Heard the learned counsel appearing on behalf of the petitioner, as well as the learned Additional Public Prosecutor appearing on behalf of the respondents 1 and 2.

2. This Habeas Corpus Petition has been filed by the petitioner, praying that this Court may be pleased to issue a Writ of Habeas Corpus, directing the respondents to produce the

petitioner's wife, E.Divya, aged about 25 years, before this Court and to set her at liberty, forthwith.

3. At this stage of the hearing of the Habeas Corpus Petition, the second respondent police had produced the detinue before this court. The detinue, who is aged about 25 years, had stated that she has done B.D.S. Degree course and that she is living with her father, at Tindivanam. She had clearly stated that she is not in love with the petitioner and that there was no marriage between the petitioner and the detinue, as alleged by the petitioner. The detinue had further stated that the petitioner was her schoolmate. However, there was no communication between the detinue and the petitioner, as alleged by him. She had further stated that she would like to go along with her father, the third respondent herein, who is also present before this Court.

4. In such circumstances, we are of the view that it is appropriate to permit the detinue, to go along with her father, the third respondent herein, as per her wish. Accordingly, the detinue is permitted to go along with the third respondent, who is her father, as per her wish. No further orders are necessary in the present Habeas Corpus Petition. This Habeas Corpus Petition stands closed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

vvk

To

1. The Superintendent of Police,
Villupuram District,
Villupuram.
2. The Inspector of Police,
Tindivanam Town Police Station,
Tindivanam.
3. The Public Prosecutor,
High Court, Madras.

+2cc's to Mr.M.Sunil Kumar, Advocate, S.R.No.3670

+1cc to Mr.S.Sathia Chandran, Advocate, S.R.No.3840 (27.2.2017)

H.C.P.No.2712 of 2016

LRS (CO)

CA(10/02/2017)