



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 07.02.2017
CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MRS.JUSTICE J.NISHA BANU

H.C.P(MD)No.101 of 2017

S.Lalitha .. Petitioner

Vs.

1.State rep.by
The Superintendent of Police
Theni, Theni District.

2.State rep.by
The Inspector of Police,
Bodi Taluk Police Station,
Bodinayakanur, Theni District

3.Rajeswari

4.Vanitha .. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents 1 & 2 to produce the person or body of the detinue, namely, Satheeshkumar, son of Thilagar, aged about 35 years, husband of the petitioner from the illegal custody of the respondents No.3 and 4 before this Court and set him at liberty.

For petitioner : Mr.T.Vadivelan
For R.1&2 : Mr.K.S.Duraipandian
Additional Public Prosecutor

ORDER

[Order of the Court by R.SUBBIAH,J.]

This Habeas Corpus has been filed directing the official respondents herein to produce the husband of the petitioner from the illegal custody of the respondents No.3 and 4 before this Court and set him at liberty.



2. The petitioner is the wife of the detenu and in the affidavit, it is stated that out of the wedlock between the detenu and this petitioner, a male child was born to them. While so, the husband of the petitioner was found missing from 20.12.2016 onwards. The petitioner's attempt to find her husband went in vain. Thereafter, she came to know that her husband is in illegal custody of the third and the fourth respondents herein. Despite a complaint lodged with the police, no effective steps have been taken by the respondent police. Hence, the present Habeas Corpus Petition has been filed.

3. When the matter is taken up for hearing today, the respondent police produced the detenu before us and on our enquiry, the petitioner now alleged that her husband developed illicit intimacy with another woman and that is the reason why, he left the house. However, on enquiry with the detenu, he stated that he would live with the petitioner.

4. In view of the afore-said statement made by the detenu and he is not in illegal custody of the respondents 3 and 4 and he expressed his willingness to go along with her wife, we are of the opinion, no more adjudication is necessary in this Habeas Corpus Petition and accordingly, we close this Habeas Corpus Petition.

Sd/-

Assistant Registrar(CSII)

/True Copy/

Sub-Assistant Registrar

To:

- 1.The Superintendent of Police
Theni, Theni District.
- 2.The Inspector of Police,
Bodi Taluk Police Station, Bodinayakanur,
Theni District
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Ssm

RL/4C/2P/SV/MMS/21.2.2017

H.C.P(MD)No.101 of 2017