



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.11.2017

CORAM:

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THE HONOURABLE MR.JUSTICE R.SUBBIAH
AND
THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

H.C.P.[MD].No.1188 of 2017

C.Stalin : Petitioner

Vs.

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Inspector of Police,
Tallakulam (L&O) Police Station,
Madurai City.

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents to produce the body or person of the petitioner's wife, Geetha, W/o.Stalin, aged 42 years before this Court and set her at liberty.

For Petitioner : Mr.D.Rameshkumar

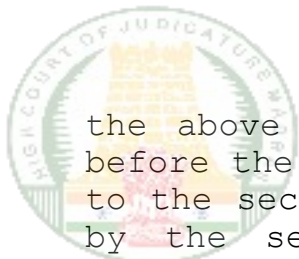
For Respondents : Mr.A.Ramar
Additional Public Prosecutor

O R D E R

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

The present Habeas Corpus Petition has been filed by the husband of the detenu, seeking a Writ of Habeas Corpus, directing the respondents to produce the person or body of the detenu, namely, Geetha, W/o.Stalin, aged 42 years before this Court and set her at liberty.

2. According to the petitioner, the marriage between him and his wife/detenu took place in the year 2007. The detenu was already married and got divorce. Out of her first marriage, the detenu is having one daughter and a son. The detenu used to visit Trichy where her brother is working. On 07.07.2017, the detenu's mother came to his house and picked up her to Trichy. Thereafter, she has not returned back and the petitioner was not able to contact her through her phone. Therefore, the petitioner contacted his wife's brother through phone, but no proper reply was forthcoming. Under



the above stated circumstances, the petitioner lodged a complaint before the first respondent on 26.07.2017 and the same was forwarded to the second respondent. Since there were no effective steps taken by the second respondent police to trace out the detenu, the petitioner has come up with the present Habeas Corpus Petition.

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3. Today, when the Habeas Corpus Petition was taken up for consideration, the respondent police produced the detenu. When we enquired the detenu, she has stated that she went to Malaysia and now she came from Malaysia and stayed at her brother's house at Trichy, on her own volition. She has further stated that she is not in illegal custody. She has also stated that now she is willing to go along with her husband.

4. In view of the above, since the detenu is not in illegal custody, in our considered view, nothing survives for adjudication in the Habeas Corpus Petition. Hence, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(CSII)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Commissioner of Police,
Madurai City,
Madurai.
- 2.The Inspector of Police,
Tallakulam (L&O) Police Station,
Madurai City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

RM

RL/4C/2P/SV/MMS/SAR1/28/11/2017

ORDER MADE IN

H.C.P.[MD].No.1188 of 2017