



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.09.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

H.C.P.(MD) No.1332 of 2017

Chandra

... Petitioner

-vs-

1.The Superintendent of Police,
Madurai District, Madurai.

2.The Inspector of Police,
Vadipatti Police Station,
Madurai District.

3.Selvi

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the corpus or body of the petitioner's son namely Eswarapandi, aged 9 years, S/o.Chellapandi before this Court who is under the illegal custody of the third respondent and her henchmen and handed over to the petitioner.

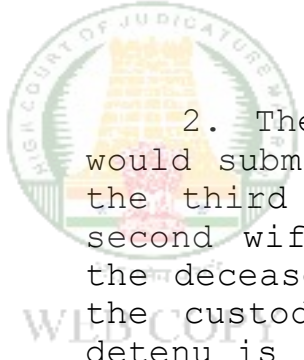
For Petitioner : Mr.J.Sivaram

For R1 and R2 : Mr.C.Ramesh,
Additional Public Prosecutor

O R D E R

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

No representation on behalf of the petitioner. The petitioner is also not present before us. The detenu along with third respondent are present.



2. The learned Additional Public Prosecutor on instructions would submit that the deceased Chellapandi had two wives, namely, the third respondent and the petitioner. The petitioner is the second wife. Due to misunderstanding, the detenu was brought by the deceased Chellapandi to third respondent at a young age from the custody of the petitioner. Thereafter, over the years the detenu is living with third respondent alone. Now, the Chellapandi no more alleged to have been murdered by the third respondent.

3. The detenu is present today before us. We asked the detenu, who is a child studying in fourth standard. The detenu has told in his clear terms that he has been living with the third respondent right from his childhood. In fact he does not remember, who is the petitioner is. Thus, we do not find any illegal detention involved.

4. In such view of the matter, this Habeas Corpus petition is closed.

Sd/-

Assistant Registrar (C.O)

/True Copy/

Sub-Assistant Registrar

To:

1. The Superintendent of Police,
Madurai District, Madurai.
2. The Inspector of Police,
Vadipatti Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Cp/am

RL/4C/2P/SKN/RSK/SAR1/9/10/2017

H.C.P. (MD) No.1332 of 2017