



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.10.2017

CORAM:

WEB COPY

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

H.C.P. (MD) No.1388 of 2017

C.Suresh : Petitioner

Vs.

1. The Superintendent of Police,
Madurai District.

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

3.Periyasamy : Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, to direct the 2nd respondent to produce the body or person of the petitioner's sister namely Johnsirani, D/o.Chinnadurai aged about 30 years before this Court and set her at liberty.

For Petitioner : Mr.M.Subash Babu

For Respondents : Mr.A.Ramar
1&2 Additional Public Prosecutor

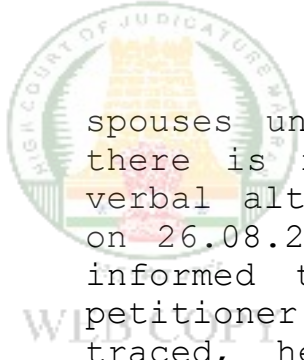
For R3 : No Appearance

ORDER

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

The petitioner is the brother of the detenu, viz., Johnsirani. The detenu is aged about 30 years. The third respondent is the husband of the detenu.

2. The sum and substance of the averments made in the affidavit is that the detenu was harassed by the third respondent, since they have no issue. The detenu was also abused and ill-treated by the third respondent. It is further averred that the



spouses undergone treatment for infertility and inspite of that there is no child. Hence, the third respondent always making verbal altercation against the detenu. Under such circumstances, on 26.08.2017, the third respondent contacted the petitioner and informed that his wife/detenu went missing. Thereafter, the petitioner searched for her and since her sister could not be traced, he has preferred a complaint. However, finding no effective steps were taken, he has filed the present petition.

3. Today, when the matter was taken up for hearing, the detenu has been produced before this Court. When we enquired her, she stated that unable to tolerate her husband, she left her husband and presently she is in Thirupathi, Andhra Pradesh. She had now expressed her willingness to go along with the petitioner and her mother.

4. In view of the statement made by the detenu, she was allowed to go along with the petitioner. Accordingly, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar

To

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

+ 1 cc TO Mr.M.Subash Babu , Advocate in SR No. 83185

RR

AE/KP/SAR1/03.11.2017/2P/5C

Order made in
H.C.P. (MD) No.1388 of 2017
Dated: 20.10.2017