



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.1541 of 2017

Ayyanar : Petitioner

Vs.

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

2.The Sub Inspector of Police,
Thenkarai Police Station,
Periyakulam,
Theni District.

3.Manoharan : 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 respondents 1 and 2 to secure the detenu namely Priyanga, D/o.Manoharan, aged about 22 years, before this Court and set her at liberty.

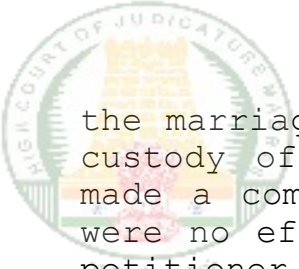
For Petitioner : Mr.Chamundi Bose
For R1 & R2 : Mr.A.Ramar
Additional Public Prosecutor

ORDER

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

This Petition has been filed by the petitioner alleging that he is the husband of the detenu to direct the respondents 1 and 2 to secure the detenu namely Priyanga, D/o.Manoharan, aged about 22 years, before this Court and set her at liberty.

2.In the affidavit filed in support of this Petition, it has been averred that the petitioner is doing MBA at Bharat Niketan Engineering College, Andipatti, Theni District and the detenu namely, Priyanga is his classmate, aged about 22 years. Both of them loved each other for the past one year. While so, the third respondent and brother-in-law of the third respondent threatened and abused to kill the detenu, if the petitioner made arrangement for



the marriage proposal. Now, the detenu has been kept in the illegal custody of the third respondent. In this regard, the petitioner made a complaint before the second respondent police. Since there were no effective steps taken by the second respondent police, the petitioner has come up with the present Habeas Corpus Petition.

3.Today, when the Habeas Corpus Petition was taken up for consideration, the second respondent police produced the detenu. When we enquired the detenu, she has stated that she is not in the illegal custody of any one. She has further stated that she is not willing to go along with the petitioner herein.

4. In view of the above, since the detenu is not in the illegal custody of any one, in our considered view, nothing survives for adjudication in the Habeas Corpus Petition. Hence, we are left with no other option except to close this Habeas Corpus Petition.

5.In the result, the Habeas Corpus Petition is closed.

Sd/-
Assistant Registrar(CSII)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Superintendent of Police,
Theni District,
Theni.
- 2.The Sub Inspector of Police,
Thenkarai Police Station,
Periyakulam,
Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Ns
RL/4C/2P/SV/MMS/SAR1/16/11/2017

Order made in
H.C.P. (MD) No.1541 of 2017