



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2017

CORAM:

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

H.C.P. (MD) No.1411 of 2017

Muthukumar

... Petitioner

-vs-

- 1.The Inspector General of Police,
Central Zone,
Tiruchirappalli.
 - 2.The Superintendent of Police,
Karur District, Karur.
 - 3.The Inspector of Police,
Thogaimalai Police Station,
Thogaimalai, Kulithalai Taluk,
Karur District.
 - 4.James Alexander,
Assistant Engineer,
Tamilnadu Generation and Distribution Corporation (West),
Dindigul Road, Manapparai - 621 306.
Tiruchirappalli District.
- ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, to direct the 3rd respondent to produce the petitioner's wife, namely, Suganthi daughter of Sivasubramanian, aged about 26 years who is under the illegal custody of the 4th respondent and set her at liberty.

For Petitioner	:	Mr.T.M.Madasamy
For Respondents 1 & 3	:	Mr.T.Mohan
		Additional Public Prosecutor
For Detenue	:	Mr.Joel Paul Antony

O R D E R

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

The petitioner has filed this petition seeking production of his wife and to set her at liberty.

2.Today not only the petitioner but also the detenue and her father are present. It appears that the marriage between the petitioner and the defacto complainant was conducted against her will by the father.



3.The petitioner fairly stated before us that as the detenue is not ready and willing to live with him, he will give consent for mutual divorce. His statement is recorded.

4.As we find the problem emanated from the father of the detenue, we enquired him. This is also for the reason that the detenue has expressed threat to her life. The father of the detenue has told us that he would not interfere in her life. However, to protect the interest of two more children, he make a request that the land given in her favour and certain jewels are to be given back. The detenue, who is a major and since working in electricity board has agreed to the request made by the father. The said submission is also recorded.

5.In view of the above, setting the detenue at liberty, this Habeas Corpus Petition is closed. It is made clear that both the petitioner and detenue are at liberty to workout their remedy before appropriate forum. The third respondent police is directed to give police protection for the detenue as and when required.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To:

1.The Inspector General of Police,
Central Zone,Tiruchirappalli.

2.The Superintendent of Police,
Karur District, Karur.

3.The Inspector of Police,
Thogaimalai Police Station,
Thogaimalai, Kulithalai Taluk,
Karur District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,Madurai.

+ 1 cc TO Mr.S.Joel Paul Antony , Advocate in SR No. 80169
+ 1 cc TO Mr.T.M.Madasamy , Advocate in SR No. 80066

sj

AE/KP/SAR3/09.10.2017/2P/7C