



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH**AND****THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA****H.C.P.[MD].No.1429 of 2017**

M.Ayyanar

: Petitioner

Vs.

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

2. The Inspector of Police,
Soolakarai Police Station,
Soolakarai, Virudhunagar District.

3.Ramanathan

: 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 the person of the petitioner's brother's wife as well as the petitioner's sister's daughter the detenué namely Senbagavalli, W/o.Subbaiah, aged about 33 years, now illegally detained by third respondent before this Court and set her at liberty.

For Petitioner : Mr.C.Jeyaprakash

For Respondents 1& 2 : Mr.A.Ramar

Additional Public Prosecutor

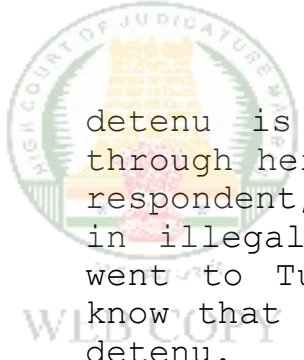
For Respondent No.3 : Mr.Jothi Basu

O R D E R

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

The present Habeas Corpus Petition has been filed seeking a Writ of Habeas Corpus, directing the respondents to produce the body or person of the petitioner's brother's wife as well as the petitioner's sister's daughter, the detenué, namely Senbagavalli, W/o.Subbaiah, aged about 33 years, now illegally detained by the third respondent before this Court and set her at liberty.

2. In the affidavit it has been stated that the petitioner is the elder brother of the husband of the detenu. The husband of the



detenu is no more. The detenu is having three children born through her deceased husband. While so, all of a sudden, the third respondent, who is a neighbour, abducted the detenu and kept her in illegal custody at Tuticorin. On 17.05.2017, the petitioner went to Tuticorin and enquired the local residents and came to know that the third respondent had left the place along with the detenu. Hence, they lodged a complaint before the respondent police on 07.08.2017. But, no action has been taken. Hence, the petitioner left with no other option, has approached this Court with this Habeas Corpus Petition.

3. Today, when the Habeas Corpus Petition was taken up for consideration, the detenu was produced before this Court. On enquiry, the detenu submitted that she went along with the third respondent on her own volition and further submitted that she is not in illegal custody.

4. In view of the above, nothing survives for adjudication in the Habeas Corpus Petition. The Habeas Corpus Petition is, therefore, closed.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar

To

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

+ 1 cc TO Mr.C.Jeyaprakash , Advocate in SR No. 82265
+ 1 cc TO Mr.M.Jothi Basu , Advocate in SR No. 82003

MR

AE/JC/SAR1/25.10.2017/2P/6C

ORDER MADE IN
H.C.P. [MD] .No.1429 of 2017
09.10.2017