



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH**AND****THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA****H.C.P.[MD].No. 1495 of 2017**

Ramalakshmi

: Petitioner

Vs.

1. The Superintendent of Police,
Tirunelveli District, Tirunelveli.2. The Inspector of Police,
All Women Police Station,
Alangulam, Tirunelveli District.

3.Natarajan,

4.Malaiyarasi

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents to secure the detenu and produce the body or person of the petitioner's husband Manikandan @ Manoj, S/o.Natarajan, aged 32 years, before this Court and set him at liberty forthwith.

For Petitioner : Mr.P.Kalaiyarasi Bharathi

For Respondents : Mr.A.Ramar

Additional Public Prosecutor

For R1&R2

: Mr.T.Indrachithu

For R4

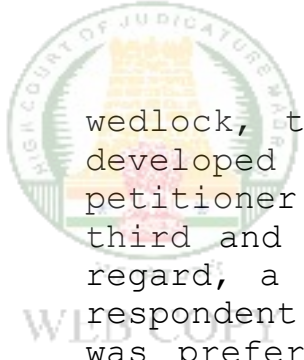
: No appearance

For R3

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

This Habeas Corpus Petition is filed by the petitioner seeking a direction to the respondents to produce the body of detenu, namely, Manikandan @ Manoj, son of Natarajan and the husband of the petitioner herein, aged about 32 years before this Court and set him at liberty.

2. The petitioner is the wife of the detenu. The marriage between the petitioner and the detenu viz., Manikandan @ Manoj was performed in the year 2011. The third and fourth respondents are the petitioner's father-in-law and mother-in-law. Due to the



wedlock, the petitioner gave birth to a male child. The detenu developed illegal intimacy with some other lady and neglected the petitioner and chased away herself from matrimonial home. The third and fourth respondents also supported the detenu. In this regard, a criminal complaint was also preferred before the second respondent police. Thereafter in the year 2015, again a complaint was preferred by the petitioner. In such situation, the detenu went missing and his whereabouts were not known to the petitioner. The third and fourth respondents very well have the knowledge of the whereabouts of the detenu. On the apprehension that he would be in the illegal custody of the third and fourth respondents, the present Habeas Corpus Petition has been filed by the petitioner.

3. Today, when the matter was taken up for consideration, the detenu was present before us. When we enquired the detenu, he had stated that unable to tolerate the torture given by the petitioner, on his own volition, he left his home and presently, he is residing in Idukki, at Kerala. He expressed his unwillingness to join with the petitioner. He also ascertained that he is not in illegal custody of anyone.

4. In view of the statement given by the detenu, we are of the view that nothing survives for adjudication in this Petition. Hence, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(Crl side)

/True Copy/

Sub Assistant Registrar

To

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

Ssl/lrs

AE/KP/SAR1/03.11.2017/2P/4C

ORDER MADE IN

H.C.P. [MD] .No. 1495 of 2017

25.10.2017