



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBBIAH**

AND

THE HONOURABLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

**H.C.P. [MD] .No.1518 of 2017**

K.Vairaperumal

.. Petitioner

Vs.

1. The Superintendent of Police,  
Office of the Superintendent of Police,  
Dindigul District.
2. The Superintendent of Police,  
Office of the Superintendent of Police,  
Karur District.
3. The Inspector of Police,  
Balavidhuthi Police Station,  
Karur District.
4. The Inspector of Police,  
Vadamadurai Police Station,  
Dindigul District.

5. Packiyaraj

.. Respondents

**PRAYER:** Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing respondents 1 to 4 to secure the petitioner's wife by name, Revathi, aged 32 years, wife of Vairaperumal, his minor son, by name, Harikrishnan, aged 7 years, Son of Vairaperumal and produce the bodies and persons of them before this Court within a stipulated time and set them at liberty.

For Petitioner : Mr.S.Malaikani

For Respondents 1 to 4 : Mr. C.Mayilvahana Rajendran  
Additional Public Prosecutor

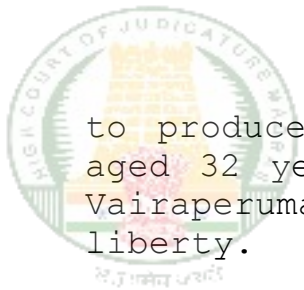
For Respondent No.5 : No appearance

**O R D E R**

\*\*\*\*\*

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

The present Habeas Corpus Petition has been filed by the husband of the first detenu and father of the second detenu, seeking a Writ of Habeas Corpus, directing the respondents 1 to 4



to produce the detenus, namely, Revathi, wife of Vairaperumal, aged 32 years, and his minor son, by name, Harikrishnan, Son of Vairaperumal, aged 7 years, before this Court and set them at liberty.

2. In the affidavit filed in support of the Habeas Corpus Petition, it has been averred that the first detenu was working as Supervisor of National Employment Guarantee Schemes in Palaviduthi Panchayat. The fifth respondent was frequently visiting the work site, where the detenu was working. Since, the fifth respondent was frequently visiting the area, being the Supervisor, the first detenu warned him. Thereafter, on 16.09.2017, since it was a holiday, the first detenu had gone to the work site with her son, but both of them never returned home. In this regard, the petitioner made a complaint before the third respondent on 19.09.2017, alleging that the fifth respondent had kidnapped them. On receipt of the said complaint, the third respondent police registered a case in Crime No.128 of 2017 under Woman and Boy Missing. Since no effective steps were taken by the them, the petitioner has come up with the present Habeas Corpus Petition.

3. Today, when the Habeas Corpus Petition was taken up for consideration, the third respondent police produced the detenus. On enquiry, the first detenu denied the allegation made in the complaint and she further stated that due to some matrimonial dispute, on her own volition, she went along with her minor son to Tiruppur and she was working there. She further stated that she is not in illegal custody of anybody. However, today, she expressed her willingness to join with her husband along with her son.

4. In view of the above, since the detenus are not in illegal custody, in our considered view, nothing survives for further adjudication in the Habeas Corpus Petition. Hence, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,  
Office of the Superintendent of Police,  
Dindigul District.

2. The Superintendent of Police,  
Office of the Superintendent of Police,



3. The Inspector of Police,  
Balavidhuthi Police Station,  
Karur District.

4. The Inspector of Police,  
Vadamadurai Police Station,  
Dindigul District.

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

PJL

VB/GT/SAR1/23/11/2017/3P/6C

**ORDER MADE IN  
H.C.P. [MD] .No.1518 of 2017  
13.11.2017**