



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.11.2017

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE R.SUBBIAH
AND
THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA**

H.C.P. (MD) No.1536 of 2017

V.Kavitha : Petitioner

Vs.

1. The Superintendent of Police,
Theni District,
Theni.
2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Bodinaickkanur,
Theni District.
3. The Inspector of Police,
Rural Police Station,
Bodinaickkanur,
Theni District.

4.Muthurayar

5.Saratha

6.Kannan : 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 to 3 to produce the body of her husband namely, M.Vijaya Krishnan, S/o.Muthurayar, aged about 42 years, before this Court and set him at liberty.

For Petitioner	: Mr.K.Guhan
For R1 to R3	: Mr.A.Ramar Additional Public Prosecutor
For R4	: Mr.M.Kalirajan
For R5 & R6	: No appearance

ORDER

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

The present Habeas Corpus Petition has been filed by the wife of the detenu, seeking a Writ of Habeas Corpus, directing the respondents 1 to 3 to produce the body of the detenu namely,



M.Vijaya Krishnan, S/o.Muthurayar, aged about 42 years and hand over her before this Court .

2.When the matter came up for hearing on 06.11.2017, the detenu was produced before this Court and expressed his willingness to go along with the petitioner/wife, but, the fourth respondent, who is the father of the detenu appeared before this Court and stated that the detenu is suffering from mental illness and he is taking treatment at Coimbatore and he needs continuous medical treatment and hence, he prayed this Court not to send the detenu along with the petitioner. Considering the submissions made on either side, this Court in order to arrive amicable settlement, referred the matter to the Mediation and Conciliation Centre. Even before the Mediation Centre, the detenu has expressed his willingness to go along with the petitioner.

3.Today, when the Habeas Corpus Petition was taken up for consideration, the detenu and the petitioner are present before this Court. When we enquired the detenu, he has stated that he is willing to go along with the petitioner. The fourth respondent, who is the father of the detenu is not present before this Court.

4. In view of the above, since the detenu is willing to go along with the petitioner, in our considered view, nothing survives for adjudication in the Habeas Corpus Petition. Hence, the Habeas Corpus Petition is closed.

Sd/-

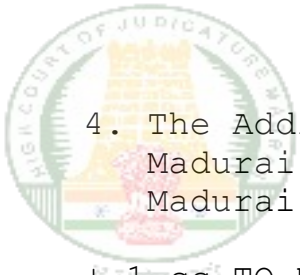
Assistant Registrar(Crl side)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Theni District,
Theni.
2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Bodinaickkanur,
Theni District.
3. The Inspector of Police,
Rural Police Station,
Bodinaickkanur,
Theni District.



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

+1 cc TO Mr.K.Guhan , Advocate in SR No. 85783

+1 cc TO Mr.M.Kalirajan , Advocate in SR No. 85878

Ns

AE/KK/SAR3/23.11.2017/3P/7C

Order made in
H.C.P. (MD) No.1536 of 2017
Dated: **08.11.2017**