



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 20.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

AND

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

H.C.P. (MD) No.1540 of 2017

S.Vasanth : Petitioner

Vs.

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

2.The Inspector of Police,
Palani Town Police Station,
Palani,
Dindigul District.

3.The Sub Inspector of Police,
Palani Town Police Station,
Palani,
Dindigul District.

: 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 to secure and produce the person or body of the detenu his wife namely Raji, aged about 27 years, W/o.S.Vasanth, before this Court and set her at liberty.

For Petitioner : Mr.K.Safar Badhusa

For Respondents : Mr.R.Ramar

Additional Public Prosecutor

ORDER

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

This Petition has been filed by the husband of the detenu to direct the respondents to secure the detenu, namely, Raji, aged about 27 years, W/o.S.Vasanth, and hand over the petitioner's wife before this Court and set her at liberty.

2.In the affidavit filed in support of this Petition, it has been averred that the petitioner is the husband of the detenu. The marriage between the petitioner and the detenu was solemnized on 09.12.2016. Subsequently, the petitioner's wife got a temporary appointment in Atomic Energy Station Hospital, Kalpakkam and



therefore, she stayed along with her mother in a rental house at Kalpakkam. It is further stated that on 14.09.2017, the petitioner and the detenu went to Madurai to attend a function and after attending the function, when they got down by 6.00 p.m., in Palani Bus stand, the petitioner's wife was found missing. In this regard, the petitioner made a complaint before the third respondent police on 15.09.2017. On receipt of the said complaint, the third respondent police registered a case in Crime No.507 of 2017 for Women Missing. Since there were no effective steps taken by the third respondent police, 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 detenu. When we enquired the detenu, she has stated that on account of the harassment given by the petitioner, on her own volition, she left her husband. She has further stated that she is not willing to go along with the petitioner.

4. In view of the above, since the detenu is not willing to go along with the petitioner, in our considered view, nothing survives for adjudication in this Habeas Corpus Petition. Hence, the Habeas Corpus Petition is closed. However, the petitioner is at liberty to work out his remedy before the Family Court.

Sd/-

Assistant Registrar(AD-II)

/True copy/

Sub Assistant Registrar

To

- 1.The Superintendent of Police,
Dindigul,
Dindigul District.
- 2.The Inspector of Police,
Palani Town Police Station,
Palani,
Dindigul District.
- 3.The Sub Inspector of Police,
Palani Town Police Station,
Palani,
Dindigul District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD) No.1540 of 2017
20.10.2017