



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.11.2017

CORAM:

WEB COPY

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

H.C.P. (MD) No.1594 of 2017

Maria Romilton : Petitioner

vs.

1.The Superintendent of Police,
O/o Superintendent of Police
Thoothukudi District

2.The Inspector of Police,
Thoothukudi North Police Station,
Thoothukudi District

3.Chinnadurai : 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 produce the body and person of the petitioner's wife Soniya, W/o.Mariya Romilton, aged about 28 years and his son Roshilan, S/o.Mariya Romilton aged about 2 years before this Court and set them at liberty.

For Petitioner : Mr.R.Venkatesan

For Respondents : Mr.C.Mayilvahana Rajendran
for R1 and R2 Additional Public Prosecutor

For R3 : Mr.J.Praveen

ORDER

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

The petitioner is the husband of the detenu. He has filed the present petition stating that his wife, viz Soniya, W/o.Mariya Romilton, aged about 28 years and his son Roshilan, S/o.Mariya Romilton aged about 2 years are missing from 09.10.2017. It is alleged that the third respondent abducted his wife along with his son. Since their whereabouts were not known, the petitioner preferred a complaint with the respondent police on 28.10.2017. Since no effective steps were taken, the petitioner is before this Court with this petition.



2. Today, when the matter is taken up for consideration, the detenu has been produced by the respondent police along with her son. On enquiry, the detenu categorically stated that on her own accord, she left the house and expressed her unwillingness to go with the petitioner.

3. In view of the said statement, we are of the view that nothing survives for adjudication in this Habeas Corpus Petition. Accordingly, this Habeas Corpus Petition is closed. However, the petitioner is at liberty to work out his remedy in the manner known to law.

Sd/-
Assistant Registrar

/True Copy/

Sub-Assistant Registrar

To

1. The Superintendent of Police,
O/o Superintendent of Police
Thoothukudi District
2. The Inspector of Police,
Thoothukudi North Police Station,
Thoothukudi District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

RR
RL/4C/2P/KK/SAR4/4/12/2017

Order made in
H.C.P. (MD) No.1594 of 2017