



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2017

CORAM:

WEB COPY

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

H.C.P. (MD) No.1638 of 2017

P.Sakthivel : Petitioner

Vs.

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

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

3.Aravindh : 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 and 2 to produce the body or person of the detenu namely S.Santhi, W/o.P.Sakthivel, aged 26 years, before this Court and set her at liberty.

For Petitioner : Mr.D.Selvaraj

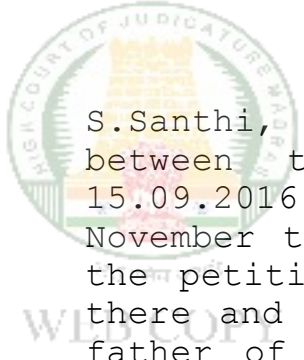
For R1 and R2 : Mr.C.Ramesh
Additional Public Prosecutor

For R3 : No appearance

ORDER

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

The present Habeas Corpus Petition has been filed by the husband of the detenu, seeking a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the body or person of the detenu namely S.Santhi, W/o.P.Sakthivel, aged 26 years, before this Court and set her at liberty.



S.Santhi, W/o.P.Sakthivel, aged about 26 years and the marriage between the petitioner and the detenu was solemnized on 15.09.2016. It is alleged that after the marriage, in the month of November the detenu wanted to visit her parental home and hence, the petitioner took his wife to her parental home and left her there and returned to his village. Under such circumstances, the father of the detenu informed the petitioner that his wife was found missing, though they searched for her at several places, they could not trace out her, Moreover, subsequently the petitioner came to know that the third respondent viz., Aravinth abducted his wife. Hence, the petitioner preferred a complaint to the second respondent police on 15.12.2016. Since no effective steps were taken by the second respondent police, the petitioner has filed the present Habeas Corpus Petition.

3.Today, when the Habeas Corpus Petition was taken up for consideration, the respondent police produced the detenu. The petitioner is not present before this Court. When we enquired the detenu, she has stated that she underwent harassment at the hands of the petitioner and hence, she left the house and presently she is working in Tirupur. She has further stated that she is not willing to go along with the petitioner/husband. The father of the detenu was present before this Court. When we enquired the father of the detenu, he has stated that he would take care of his daughter/detenu.

4.In view of the above, since the detenu is a major aged about 26 years and she is not willing to go along with the petitioner, in our considered opinion, nothing survives for adjudication in the Habeas Corpus petition. Hence, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

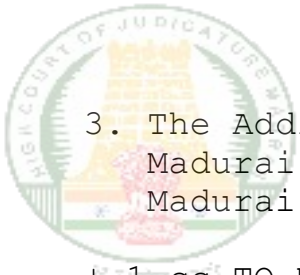
To

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

2. The Inspector of Police,
Vadamadurai Police Station,

<https://hcservices.dindigul.gov.in/hcservices/>

Dindigul District.



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

+1 cc TO Mr.D.Selvaraj , Advocate in SR No. 89178

WEB COPY

Ns

AE/JC/SAR1/12.12.2017/3P/5C

Order made in
H.C.P. (MD) No.1638 of 2017
Dated: **22.11.2017**