



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:09.02.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH
AND
THE HONOURABLE MRS.JUSTICE J.NISHA BANU

H.C.P.[MD].No.182 of 2017

Anandakumaresan : Petitioner

Vs.

- 1.The Superintendent of Police,
Dindigul District, Dindigul.
- 2.The Inspector of Police,
Nilakottai Police Station,
Nilakottai, Dindigul District.
- 3.The Inspector of Police,
All Women Police Station,
Nilakottai, Dindigul District.

4.Manjula
5.Madhan : Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the second respondent to secure the body or person of the detenu, Madhumathi, W/o.Anandakumaresan, aged 23 years, before this Court, illegally detained by the respondents 4 and 5 and set her at liberty forthwith.

For Petitioner : Mr.S.Mahendrapathy

For Respondents 1to3 : Mr.K.S.Duraipandian
Additional Public Prosecutor

For Respondents 4&5 : Mr.R.Venkateshwaran

O R D E R

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

The present Habeas Corpus Petition has been filed seeking a Writ of Habeas Corpus, directing the respondents to secure the body or person of the detenu, Madhumathi, W/o.Anandakumaresan, aged 23 years, before this Court, illegally detained by the respondents 4 and 5 and set her at liberty forthwith.



2. According to the petitioner, he married the detenu - Madhumathi, aged about 23 year and the marriage was also registered at the Sub-Registrar Office, Badlagundu, Dindigul District. Thereafter, his wife lodged a complaint against the respondents 4 and 5, before the third respondent police to give police protection for their life and limb and the said complaint was enquired into by the Inspector of Police, All Women Police Station, Nilakottai and thereafter, it was closed on the ground that the respondents 4 and 5 appeared and stated that they will not interfere with the peaceful life of the petitioner and his wife. While so, on 31.01.2017, the respondents 4 and 5, along with henchmen, trespassed into the house of the petitioner and forcibly abducted his wife and threatened him with dire consequences. The petitioner searched for her in several places. Since he could not locate her, the petitioner made a complaint before the second respondent police. As there were no effective steps taken by the second respondent police to trace out the detenu, the petitioner has come up with the present Habeas Corpus Petition.

3. Today, when the Habeas Corpus Petition was taken up for consideration, the second respondent police produced the detenu. On enquiry, she has stated that she is aged about 23 years and she is not in illegal custody. 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 in illegal custody, in our considered view, nothing survives for adjudication in the Habeas Corpus Petition. Hence, the Habeas Corpus Petition is closed.

Sd/-
Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar

To

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

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



3.The Inspector of Police,
All Women Police Station,
Nilakottai, Dindigul District.

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

+1cc to Mr.R.Venkateswaran, Advocate SR.No.7363

NB

SM:SKN-:SAR 2:14.02.2017:3p/6c

ORDER MADE IN
H.C.P.[MD].No.182 of 2017
09.02.2017