



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:03.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBBIAH**

AND

THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

H.C.P.[MD].No.323 of 2017

J.Jesudoss : Petitioner

Vs.

1.The Commissioner of Police,
Madurai City, K.Pudur, Madurai.

2.The Inspector of Police,
Avaniapuram Police Station,
Madurai.

3.K.Joseph : Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the detenu or body of the detenu, namely, Mercy, [Age-21 years] W/o.J.Jesudoss, D/o.K.Joseph, before this Court and set her at liberty.

For Petitioner : Mr.N.Pragalathan

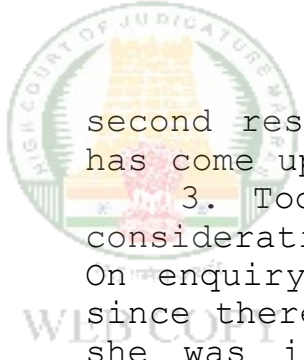
For Respondents 1&2 : Mr.K.S.Duraipandian
Additional Public Prosecutor

O R D E R

[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 detenu or body of the detenu, namely, Mercy, [Age-21 years] W/o.J.Jesudoss, D/o.K.Joseph, before this Court and set her at liberty.

2. According to the petitioner, he got married the detenu, on 15.10.2014. However, the said factum of marriage was not intimated to the third respondent. On 28.02.2017, the petitioner received a message from his wife stating that she is in illegal custody. In this regard, the petitioner made a complaint before the second respondent. Since 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 21 years and since there was some misunderstanding between her and her husband, she was in her father's house for some time. She has further stated that now she is 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 (CS-I)

/True copy/

Sub Assistant Registrar

To

- 1.The Commissioner of Police,
Madurai City, K.Pudur, Madurai.
- 2.The Inspector of Police,
Avaniapuram Police Station,
Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER MADE IN
H.C.P.[MD].No.323 of 2017
03.03.2017

JM/CM MSA/13.03.2017/2P/4C