



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

H.C.P. (MD) No.346 of 2017

A.Kannan

... Petitioner

-vs-

1.The Superintendent of Police
Madurai
Madurai District

2.The Inspector of Police
Vadipatti Police Station
Madurai District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus directing the 2nd respondent to produce the persons or bodies of the petitioner's wife by name Priya D/o.Murugan aged about 33 years and the Petitioner's minor children namely Lithika D/o.Kannan aged about 8 years and Eswanth S/o.Kannan aged about 4 years before this Court and set them at their liberty.

For Petitioner : Mr.C.Bethanasamy

For Respondents : Mr.T.Mohan, Addl. Public Prosecutor

O R D E R

[Order of the Court by T.S.SIVAGNANAM, J.]

Heard Mr.C.Bethanasamy, learned counsel appearing for the petitioner and Mr.T.Mohan, learned Additional Public Prosecutor appearing for the respondents.

2. The petitioner has filed this Habeas Corpus Petition seeking direction to the respondent Police to trace his wife, namely, Priya, aged about 33 years, minor children, namely Lithika, aged about 8 years and Eswanth, aged about 4 years, who are missing from 14.02.2017, produce them before this Court and set them at liberty.



3. The respondent Police produced the detenues before this Court.

4. When we enquired the detainee namely, Priya, she stated that she and her minor children are living with her mother. She does not want to go with the petitioner / husband, who is none other than her maternal uncle also, for the present. Further she stated that there was difference of opinion between her and her husband and after the dispute is settled, she will go with him. Furthermore, she stated that now she wants to go along with her mother. Thus, we find that there is no illegal detention.

5. Recording the same, this Habeas Corpus Petition is dismissed.

Sd/-
Assistant Registrar(A.S)

/True Copy/

Sub Assistant Registrar

To:

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

2.The Inspector of Police,
Vadipatti Police Station,
Madurai District.

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

+1cc to M/s. C.BETHANASAMY Advocate in SR. No.16759
KRK/SKM
JS/SV/MMS/4/04/2014/2P-5C

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