



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.03.2017**

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MR.JUSTICE N.SESHASAYEE

H.C.P.[MD].No.453 of 2017

Kabila Banu : Petitioner

Vs.

1.The Superintendent of Police,
Ramanathapuram District.

2.The Inspector of Police,
Devipattinam Police Station,
Ramanathapuram District.

3.Balu

4.Jeertha Beevi : Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents to produce the body of the petitioner's husband, namely, Barakkath Ali, aged 44 years, the detenu herein before this Court and set him at liberty.

For Petitioner : Mr.V.Mahimairajan

For Respondents 1&2 : Mr.T. Mohan
Additional Public Prosecutor

O R D E R

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

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 and 2.

2. The present Habeas Corpus Petition has been filed seeking a Writ of Habeas Corpus, directing the respondents to produce the person or body of the petitioner's husband, namely, Barakkath Ali, aged 44 years, the detenu herein, before this Court and set him at liberty.



3. Mr.T.Mohan, learned Additional Public Prosecutor, on instructions from the respondents 1 and 2, would submit that the husband of the petitioner was working in Malaysia and at that time, he came in contact with another lady and married her. While he came to India, he has settled all his properties in favour of the petitioner, which settlement deed was cancelled by her husband, the detenu herein. It is further submitted that as of now, the husband of the petitioner is living in Malaysia.

4. In the background of these facts and circumstances of the case, we find that there is no illegal detention of the husband of the petitioner and therefore, no direction as sought for by the petitioner could be issued. Hence, the Habeas Corpus Petition is dismissed.

Sd/-
Assistant Registrar(C)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Superintendent of Police,
Ramanathapuram District.
- 2.The Inspector of Police,
Devipattinam Police Station,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC TO M/S.V.MAHIMAI RAJAN,ADVOCATE,SR NO.18759

NB
MAS/RR/SAR2:17.04.2017:2P-5C

ORDER MADE IN
H.C.P.[MD].No.453 of 2017
28.03.2017