



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2017

WEB COPY

CORAM:

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

H.C.P. [MD] .No.476 of 2017

Rengaraj : Petitioner

Vs.

1.The Commissioner of Police,
Trichirappalli City, Trichirappalli.

2.The Inspector of Police,
All Women Police Station,
Srirangam, Trichy.

3.Nazir Mohammed : 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 persons or bodies of the petitioner's wife Jasmin, aged 30 and minor son Akash, aged 7 years, before this Court and set the petitioner's wife Jasmine at liberty and hand over minor Akash to the petitioner.

For Petitioner : Mrs.R.Yamuna

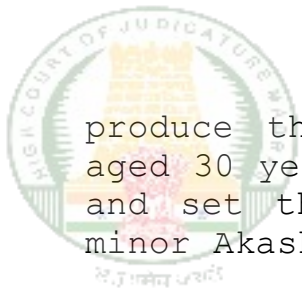
For Respondents : Mr.T.Mohan
Additional Public Prosecutor

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 1 and 2 to



produce the persons or bodies of the petitioner's wife Jasmin, aged 30 years and minor son Akash, aged 7 years, before this Court and set the petitioner's wife Jasmine at liberty and hand over minor Akash to the petitioner.

3. A reading of the complaint given by the petitioner would go to show that his wife has left the house, taking some cash, Indian Overseas Bank Pass Book, Aadhaar Card, ATM Card, Voter Identification Card etc. Thus, in our considered view, it appears to be a case of pre-planned exit from the matrimonial home and therefore, we do not find that it is a case of illegal detention. Thus, we are not inclined to entertain this Habeas Corpus Petition and suffice to say that the petitioner may approach the appropriate Court seeking necessary relief.

4. The Habeas Corpus Petition is disposed of on the above terms.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
Trichirappalli City, Trichirappalli.

2. The Inspector of Police,
All Women Police Station,
Srirangam, Trichy.

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

+1cc to Mr. Mrs. R. Yamuna, Advocate Sr. No. 50012

NB

VB/SV/SAR2/13.04.2017/2P/5C

ORDER MADE IN
H.C.P. [MD] .No. 476 of 2017
04.04.2017