

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 27.01.2017

CORAM:

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

HABEAS CORPUS PETITION(MD).No.97 of 2017

A.Karthikeyan : Petitioner

Vs.

1.The State rep. By its
The Superintendent of police,
Ramanathapuram District.

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

3.The Inspector of Police,
All Women Police Station,
Aruppukkottai,
Virudhunagar District.

4.R.Karunanithi : Respondents

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 bodies or persons of petitioner's wife namely Baladeepa aged 20 years and daughter namely Aksaya aged 6 months, from the illegal custody of the fourth respondent and handed over them with the petitioner.

For Petitioner : Mr.M.Anantha Murugan
For Respondents : Mr.K.S.Duraipandian
Additional Public Prosecutor

O R D E R[Order of the Court was made by **R.SUBBIAH, J**]

Heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondents 1 to 3.



2. This Habeas Corpus Petition has been filed by the petitioner herein under article 226 of the Constitution of India seeking an order directing the respondents to produce the petitioner's wife viz., Baladeepa aged about 20 years and her child viz., Aksaya aged about 6 months, who are under the illegal custody of the fourth respondent, before this Court and set them at liberty.

3. The petitioner herein is the husband of the detenue viz., Bala Deepa aged about 20 years and the father of the detenue Aksaya, aged about six months. The fourth respondent herein is the father of the detenue.

4. In the affidavit, it is stated that the marriage between the petitioner and the detenue took place on 21.08.2015. After marriage, there was some matrimonial dispute between them. Hence, on the instruction of the fourth respondent, the detenue left her matrimonial home and stayed with the fourth respondent, the father of the detenue, along with her minor child.

5. When the matter is taken up today for hearing, the detenue was produced before this Court and on enquiry, she said that she was harassed by her in-laws and therefore, she left the matrimonial home and living along with her father and there is no illegal detention, by anybody.

6. In view of the above facts and circumstances of the case, we are of the view that nothing could be adjudicated in the Habeas Corpus Petition and accordingly, the same is closed.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of police,
Ramanathapuram District.

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

3. The Inspector of Police,
All Women Police Station,
Virudhunagar District.



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

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MAS/CM-MSA/09.02.2017:3P/5C