



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2017

CORAM:

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

AND

THE HONOURABLE MRS.JUSTICE **J.NISHA BANU****H.C.P.[MD].No.1132 of 2016**

J.Thilip Gnanaraja

: Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Thiruvadanai,
Ramanathapuram District.

3.The Inspector of Police (L&O),
Thondi Police Station,
Thondi,
Ramanathapuram District.

4.Kaliyammal

5.Karthik

6.Malaikannan

7.Selvam

8.Rajakannu

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents 1 to 3 to produce the person or body of the petitioner's wife namely Muthulakshmi, aged about 38 years, who is under illegal custody of the respondents 4 to 8 before this Court and set her at liberty.

For Petitioner : Mr.K.Kannan

For Respondents 1to3 : Mr.K.S.Duraipandian

Additional Public Prosecutor

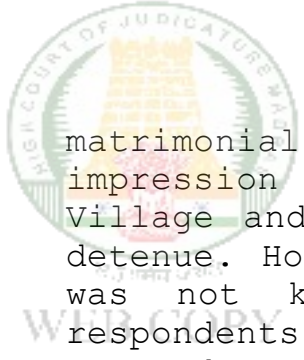
O R D E R

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

Seeking production of the detenue viz., Muthulakshmi, aged about 38 years, the petitioner, who is the husband of the detenue, has filed the present Habeas Corpus Petition.

<https://nclservices.ecourts.gov.in/nclservices/>

2. In the affidavit filed in support of the petition, it has been stated that the marriage between the petitioner and the detenue took place in the year 1996 and due to the wedlock, two male children were born to them. While so, the detenue left the



matrimonial home on 10.05.2016. The petitioner was under the impression that the detinue went to her parental house at Kodanoor Village and hence, he went to her Village and enquired about the detinue. However, no proper response was given and her whereabouts was not known. Therefore, suspecting the activities of the respondents 4 to 8, the petitioner lodged a complaint to the third respondent on 06.08.2016. Since no effective steps were taken to secure the detinue so far, the petitioner has come up with the present petition.

3. Today when the matter was taken up for consideration, the third respondent produced the detinue before this Court. When we enquired the detinue, she told us that due to misunderstanding with her husband, she left the matrimonial home voluntarily and went to Coimbatore and she is working there. Further, she expressed her unwillingness to go along with the petitioner. However, she is prepared to go along with the fourth respondent herein, who is her mother.

4. In view of the above said submission made by the detinue, we close the Habeas Corpus Petition leaving it open to the detinue to lead her own way of life.

Sd/-

Assistant Registrar(P&A)

/TRUE COPY/

Sub Assistant Registrar

To

- 1.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
- 2.The Deputy Superintendent of Police,
Thiruvadanai,
Ramanathapuram District.
- 3.The Inspector of Police (L&O),
Thondi Police Station,
Thondi,
Ramanathapuram District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Sml

sva/jm/03.03.2017/2p/5c