



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:16.03.2017

CORAM:

WEB COPY

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

H.C.P.[MD].No.1571 of 2016

M.Thanukrishnan : Petitioner

Vs.

1.Packiam Arulappan

2.The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.

3.The Superintendent of Police,
Kanyakumari District at Nagercoil. : Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents 2 and 3 to produce the person or body of Mrs.R.Lekshmi Devi, Wife of the petitioner, aged about 27 years, now detained by the first respondent, before this Court and set her at liberty.

For Petitioner : Mr.N.Mohammed Asif

For Respondents 2&3 : 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 2 and 3.

2. The present Habeas Corpus Petition has been filed seeking a Writ of Habeas Corpus, directing the respondents 2 and 3 to produce the person or body of Mrs.R.Lekshmi Devi, Wife of the petitioner, aged about 27 years, now detained by the first respondent, before this Court and set her at liberty.



3. The learned Additional Public Prosecutor, on instructions from the second respondent police, reports that a case in Crime No.537 of 2016 was registered by the second respondent police under the caption "woman missing" and the investigation revealed that the wife of the petitioner went to Nagercoil, along with the petitioner to meet one Radha Bai, a person running self-help group and thereafter, she went along with another person and the statement of the first respondent, who is none other than the mother-in-law of the petitioner, was recorded by the second respondent police to the said effect.

4. In our considered view, the detenu is not in illegal custody. It appears that the detenu wanted to go away from her family and therefore, the Habeas Corpus Petition is closed.

Sd/-
Assistant Registrar(CSI)

/True Copy/

Sub-Assistant Registrar

To

1.The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.

2.The Superintendent of Police,
Kanyakumari District at Nagercoil.

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

+One cc to Mr.N.Mohamed Asif, Advocate, SR.No.15987

NB
RL/5C/2P/SKN/27.3.2017

ORDER MADE IN

H.C.P.[MD].No.1571 of 2016