



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

H.C.P(MD)No.1656 of 2016

Chitra

... Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli.

2.The Inspector of Police,
Valliyoor Police Station,
Tirunelveli District.

3.Vijayan

4.Subbammal @ Esthar

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents 1 and 2 herein to produce the body or person of the detenu, by name, Nagarajan, son of Paulpandi, aged about 45 years, husband of the petitioner herein before this Court and set him at liberty forthwith.

For Petitioner : Mr.K.P.Narayanakumar

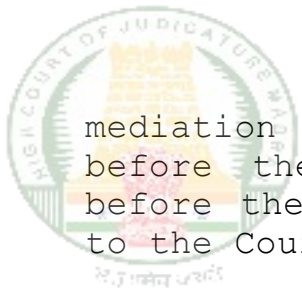
For Respondents : Mr.T.Mohan,
Additional Public Prosecutor for R.1 & R.2

ORDER

(Order of the Court was made by **T.S.SIVAGNANAM, J.**)

This petition has been filed seeking to issue a writ of Habeas Corpus directing the respondents 1 and 2 herein to produce the body or person of the detenu, by name, Nagarajan, son of Paulpandi, aged about 45 years, husband of the petitioner herein before this Court and set him at liberty forthwith.

2. The petitioner is the wife of the detenu. Earlier, when the matter came up before this Court, the matter was referred to the



mediation and on the first hearing date, the detenu appeared before the mediation, but, subsequently, he failed to appear before the mediation and therefore, the matter was referred back to the Court.

3. Thus, we find that the detenu is unwilling to join the petitioner. Considering the fact that the petitioner is an illiterate lady with two minor children, we give liberty to the petitioner to approach the Family Court or competent Court for appropriate relief including the relief of maintenance.

4. We also find that there is no case for illegal detention and hence, this Habeas Corpus Petition is disposed of, with the above observations.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Tirunelveli.

2.The Inspector of Police,
Valliyoor Police Station,
Tirunelveli District.

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

+1cc to M/s.K.P.NARAYANA KUMAR Advocate in SR. No.50569

RSB

JS/MR/17.04.2017/2P-5C

H.C.P(MD)No.1656 of 2016
06.04.2017