



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:19.01.2017

CORAM:

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

H.C.P.[MD].No.1735 of 2016

K.Vikram : Petitioner

Vs.

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

2.The Inspector of Police,
Gandamanur Police Station,
Theni District.

3.Mr.Elangovan,
Inspector of Police,
Gandamanur Police Station,
Theni District.

4.Naveena
5.Dineshkumar
6.Vignesh

: Respondents

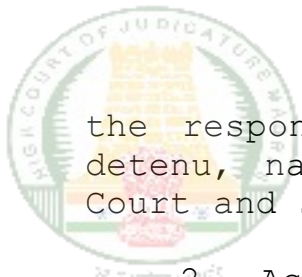
PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the body or corpus of the petitioner's wife, namely, Kousalya Devi, [aged about 19 years], D/o.R.Malaichamy, who is under the illegal custody of the respondents 4 to 6 and their henchmen before this Court and set her at liberty.

For Petitioner : Mr.V.Sankaranarayanan

For Respondents 1&2 : Mr.K.S.Duraipandian
Additional Public Prosecutor

O R D E R

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



the respondents 1 and 2 to produce the person or body of the detenu, namely, Kousalya Devi, aged about 19 years, before this Court and set her at liberty.

2. According to the petitioner, the marriage between the petitioner and the detenu was solemnized on 02.11.2016. The detenu is none other than the daughter of his maternal uncle, namely, Malaichamy. On 03.12.2016, the respondents 4 to 6 came to the house of the petitioner in an auto bearing Registration No.TN-60-S-1720 and forcibly abducted the detenu. In this regard, the petitioner made a complaint before the second respondent police. On receipt of the said complaint, the second respondent police registered a case in Crime No.434 of 2016 for woman missing. Since there were no effective steps taken by the second respondent police to trace out the detenu, the petitioner has come up with the present Habeas Corpus Petition.

3. Today, when the Habeas Corpus Petition was taken up for consideration, the second respondent police produced the detenu. On enquiry, the detenu has stated that on her own volition, she went out of the matrimonial home along with the sixth respondent herein and as of now, she is residing along with him. She further stated that she is not willing to go along with the petitioner. She also stated that she is not in illegal custody.

4. In view of the above, since the detenu is not in illegal custody, we are of the considered view, nothing survives for adjudication in the Habeas Corpus Petition. Hence, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (Writs)

/True Copy/

Sub Assistant Registrar

NB

To

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

2.The Inspector of Police, Gandamanur Police Station,
Theni District.

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

+1CC to Mr.V.Sankara Narayanan, Advocate Sr.No.3602

GJM/BS/MR/6.2.17-2p-5C