

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2018

CORAM:

THE HON'BLE DR. JUSTICE S.VIMALA

AND

THE HON'BLE MRS. JUSTICE S.RAMATHILAGAM

H.C.P.No.1237 of 2017

S.Gobinathan

... Petitioner

versus

1. The Commissioner of Police,
Greater Chennai,
Chennai - 600 007.

2. The Inspector of Police,
R-2, Kodambakkam Police Station,
Chennai.

3. Thirunavukkarasu

... Respondents

Hebeas Corpus Petition filed under Article 226 of Constitution of India praying for the issuance of Writ of Habeas Corpus, to direct the respondents to produce the daughter of the petitioner G.Sivasankari, 21 years, wife of Thirunavukkarasu (3rd respondent) before this Court and set her at liberty forthwith.

For Petitioner : Mr.C.Prabakaran

For R1 and R2 : Mr.R.Prathap Kumar
Additional Public Prosecutor

For R3 : Mr.R.Ganesh Kumar

ORDER

Dr.S.Vimala, J.,

The petitioner herein is the father of detainee Sivasankari. The third respondent herein is the husband of detainee.

2. Status report has been filed by the second respondent, wherein, it has been stated that originally, the third respondent herein, the husband of detainee G.Sivasankari, preferred a complaint with the respondent Police on 03.10.2016, wherein, the third respondent/husband of detainee has stated that he got engaged with the detainee Sivasankari on 24.09.2016, but, after engagement, he received calls about the character of

detenue; thereafter, he got married with the detenue during February 2016 and they were living together for sometime. Further, it is stated that the detenue Sivasankari was found missing and in respect of women missing, a case was registered on 03.10.2016 and investigation had been conducted; while efforts were taken to trace out the detenue, father of detenue has filed this petition seeking production of her daughter. In the mean time, the husband of the detenue appeared before the investigating Police Officers and made a statement that the detenue is living with one Britto and the same was also known to the parents of the detenue. There had also been an information that the detenue and Britto is living together in Tiruppur. Therefore, no further action is required.

3. Under such circumstances, there is no other option except to close the Habeas Corpus Petition.

4. In view of the above, the Habeas Corpus Petition is closed. Grievance, if any, is sought to be get redressed through the Family Court.

Sd/-

Assistant Registrar(CS VII)

//True copy//

Sub Assistant Registrar

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To

1. The Commissioner of Police,
Greater Chennai,
Chennai - 600 007.
2. The Inspector of Police,
R-2, Kodambakkam Police Station,
Chennai.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Ganesh Kumar, Advocate SR.No.38611

H.C.P.No.1237 of 2017

GJII(CO)
GN(11/07/2018)