

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE C.T.SELVAM
and
THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

HCP. No.1585 of 2018

A.Riyas

... Petitioner

-Vs-

1.The Assistant Commissioner of Police,
Thuraipakkam Range,
Office at J-9, Thuraipakkam Police Station,
Thuraipakkam, Chennai.

2.The Inspector of Police,
J-9, Thuraipakkam Police Station,
Thuraipakkam, Chennai.

3.Mr.Perumal

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents to produce the detainee namely P.Prathiba @ Ayisha Banu, W/o.A.Riyas and D/o.Perumal, aged about 23 years and presently illegally detained by the third respondent herein before this Honourable court and set her at liberty.

For Petitioner : Mr.R.Ganesh Kumar

For Respondents: Mr.M.Mohamed Riyaz

Additional Public Prosecutor For R1 & R2
Mr.M.Ramamoorthi for R3

ORDER

[Order of the Court by C.T.SELVAM, J.]

Petitioner, who is the husband of the detainee viz., P.Prathiba @ Ayisha Banu, aged 23 years, sought production of his wife.

2. Heard learned counsel for petitioner, learned Additional Public Prosecutor for respondents 1 and 2 as also learned counsel for third respondent.

3. Learned counsel for third respondent points out that even according to the petitioner, he and the detenue, whom the petitioner claims to have married, have never lived together as husband and wife. Third respondent, who is the father of the detenue affirms the position informed by learned Additional Public Prosecutor viz., that on her own volition, the detenue has taken up employment and presently is in Singapore.

4. Recording such position, this Habeas Corpus Petition shall stand closed. It is for the petitioner to work out his remedy, if any, before appropriate forum.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

kmi

To:

1. The Assistant Commissioner of Police,
Thuraipakkam Range,
Office at J-9, Thuraipakkam Police Station,
Thuraipakkam, Chennai.
2. The Inspector of Police,
J-9, Thuraipakkam Police Station,
Thuraipakkam, Chennai.
3. The Public Prosecutor
High Court, Madras.

+lcc to Mr.R.Ganesh Kumar, Advocate sr.no.58486

+lcc to Mr.M.Ramamoorthi, Advocate sr.no.58239

HCP. No.1585 of 2018

br(co)
nr 25/09/2018