

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2018

CORAM

THE HON'BLE Mr.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE Mrs.JUSTICE S.RAMATHILAGAM

H.C.P.No.233 of 2018

C.Arron

... Petitioner

Vs

1.The State rep. by
The Inspector of Police,
H-6, Police Station,
Korukupet,
Chennai-21.

2.Venkatesh

... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS to direct the respondent police to produce the body of the detainee namely, Salomi, aged 28 years, wife of C.Arron, before this Court and handover the custody of the detainee to the petitioner.

For Petitioner : P.R.Thiruneelkandan

For Respondents: Mr.R.Ravichandran
Government Advocate for R1

ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

The prayer sought for in this Habeas Corpus Petition is for a direction to the respondent police to produce the body of the detainee namely, Salomi, aged 28 years, wife of C.Arron, before this Court and hand over the custody of the detainee to the petitioner.

2.The petitioner states that he is working in a courier company as a Clerk. The arranged marriage between the petitioner and his wife Salomi was solemnized in the year 2008. The petitioner with the detainee was leading a happy matrimonial life. However, the petitioner came to understand in December 2016, that the 2nd respondent Venkatesh was misbehaving with his wife. In spite of warnings issued by the petitioner, the 2nd respondent continued his mischiefs with his wife. Thus, the petitioner was constrained to give a police

complaint against the 2nd respondent. Under these circumstances, the petitioner lodged a complaint by stating that the 2nd respondent took his wife away and kept in an illegal custody.

3.The learned Government Advocate appearing on behalf of the 1st respondent police now submitted the statement of the detainee Srimathi.Salomi, wife of C.Arron. The said statement states that on account of certain family disputes with the petitioner, she left the matrimonial home and had gone to her elder brother's house. Thus, it is brought to our notice that the detainee is not in illegal custody of the 2nd respondent. By way of the statement given before the Inspector of Police, H-6, R.K.Nagar Police Station, the detainee was set at liberty. The said statement of the detainee dated 19.03.2018 further states that she is not under the illegal detention of any person including the 2nd respondent. This being the sworn statement given by the detainee before the Inspector of Police, no further adjudication needs to be undertaken in respect of the grounds raised in this Habeas Corpus Petition.

Accordingly, this Habeas Corpus Petition stands closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

mps

To

1. The Inspector of Police,
H-6, Police Station, Korukupet, Chennai-21.
2. The Public Prosecutor, High Court, Madras.

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SVI(CO)
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