

In the High Court of Judicature at Madras

Dated : 02.4.2018

Coram :

The Honourable Mr.Justice M.VENUGOPAL

and

The Honourable Mrs.Justice R.HEMALATHA

Habeas Corpus Petition No.403 of 2018

R.Sivakumar

....Petitioner

Vs

1.The Inspector of Police, N2,
Kasimedu Police Station,
Royapuram, Chennai.

2.The Commissioner of Police,
Egmore, Chennai-8.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Habeas Corpus directing the respondent to produce the petitioner's wife Mrs.Rathipriya and his children namely (1) Anil (2) Akash (3) Sri Bharath before this Court.

For Petitioner : Mr.S.Manimaran

For Respondents: Mr.R.Ravichandran, APP

Order of the Court was made by M.VENUGOPAL, J

Heard the Learned Counsel for the Petitioner and the Learned Additional Public Prosecutor appearing for the Respondents.

2. Today, the Learned Counsel for the First Respondent/ Police has produced before this Court Mrs.Rathipriya (wife of the Petitioner) and their three children namely (i) Anil (ii) Akash and (iii) Sri Bharath.

3. The wife of the Petitioner Mrs.Rathipriya and their three children, as afore stated, were enquired by this Court. According to them, the Petitioner used to go for catching fish in high seas and he will proceed daily at 5 AM in his fiber boat and return at 6.30 PM. Out of his daily earnings, he used to give Rs.100/- or Rs.150/- to the family and because of the

harassment and torture meted out by the Petitioner to his wife and children, when the Petitioner directed them to leave the house, they had gone out of their house because of threat to their life and security.

4. The Petitioner's wife Mrs.Rathipriya and their three children echoed before this Court that they are living at No.22, Kumaran Street, Villivakkam (opposite to Abhirami Temple). The wife of the Petitioner is engaged in tailoring work in an export company at Perambur and she is earning a monthly salary of Rs.6,000/-. She and the three children have informed this Court that they are residing separately and independently at Villivakkam and they are not willing to return to the Petitioner's house.

5. In view of the fact that this Court is subjectively satisfied as to the apprehension expressed by the Petitioner's wife and their three children in regard to their peaceful living and security to their life, this Court disposes of the above petition by directing the Petitioner to work out his remedy before the competent forum seeking redressal of his grievances, of course, in the manner known to law and in accordance with law.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

- 1.The Inspector of Police, N2, Kasimedu Police Station, Royapuram, Chennai.
- 2.The Commissioner of Police, Egmore, Chennai-8.
- 3.The Public Prosecutor, High Court, Madras

KS(CO)
sm:11.4.2018

HCP.No.403 of 2018

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