

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE C.T.SELVAM
and
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

H.C.P. No.471 of 2018

Fabian Afra David

... Petitioner

-Vs-

1.The Commissioner of Police,
Vepery, Chennai.

2.The Inspector of Police,
V-1, Villivakkam Police Station,
Chennai-600 049.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the 2nd respondent to produce the detainee Somirin Washinao, before this Hon'ble Court and set at liberty.

For Petitioner : Mr.Ramesh Umapathy

For Respondents : Mr.R.Prathap Kumar
Additional Public Prosecutor

ORDER

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

Petitioner, who is the husband of the detainee, namely, Somirin Washinao, seeks production of his wife.

2. Heard learned counsel for petitioner and learned Additional Public Prosecutor appearing for respondents.

3. Today, the detainee viz., Somirin Washinao, has been produced by the respondents. Learned Additional Public Prosecutor submits that she was in her parental home at Manipur and has been produced before this Court therefrom. In our interaction, she informs that she had come into relationship

with the petitioner, a driver, when taking driving lessons and of having entered upon marriage, evidenced by marriage certificate dated 17.07.2017, which is the case also of the petitioner. She submits that she had worked as an Assistant Professor in Agurchand Manmull Jain College, Meenambakkam, Chennai, when she came into contact with the petitioner. Her sister had visited her on 03.02.2018 and she had accompanied her sister to the residence she shared with the petitioner and that she left for her parental home along with her sister, on her own volition, on 05.02.2018. She was not forced to do so by her sister. As against the petitioner's case of the detinue being subjected to wrongful conduct, detinue has informed us as above and further that she does not wish to resume the matrimonial tie with the petitioner. She has informed her address and contact number as follows:-

No.153A, 6th Cross Street,
Mangala Nagar, Porur, Chennai-116.
Ph. No.97912 11284.

4. Recording the above position, this Habeas Corpus Petition shall stand closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

kmi

To:

1.The Commissioner of Police,
Vepery, Chennai.

2.The Inspector of Police,
V-1, Villivakkam Police Station,
Chennai-600 049.

3.The Public Prosecutor
High Court, Madras.

H.C.P.No.471 of 2018

rj(co)
cs/18/04/18