

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 13.04.2018

CORAM

THE HONOURABLE DR. JUSTICE S.VIMALA
AND
THE HONOURABLE MRS. JUSTICE R.HEMALATHA

H.C.P. NO. 492 OF 2018

Palaniyammal

.. Petitioner

- Vs -

1. The Inspector of Police
All Women Police Station
Vridhachalam
Cuddalore District.

2. Malika
3. Manikkam
4. Ashok Driver

.. Respondents

Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of habeas corpus directing the respondents herein to produce the body or person of the detenu named Senthil Kumar, husband of Palaniyammal before this Hon'ble Court and set him at liberty forthwith.

For Petitioner : Mr. K.Murugesan

For Respondents: Mr. R.Ravichandran

Govt. Advocate (Crl. Side)

ORDER

(ORDER OF THE COURT WAS MADE BY DR. S.VIMALA, J.)

The petitioner, the wife of the detenu, has filed the present petition, seeking production of her husband, alleging that she married the detenu on 22.2.2018 and after marriage, her husband, viz., the detenu is missing and she was not able to contact the detenu even over phone. Due to the above, she preferred a complaint to the respondent police and since no action has been forthcoming, she was constrained to move this Court by filing the present petition.

2. A perusal of the affidavit filed by the petitioner reveals that the 2nd respondent, the mother of the detenu, was not interested in the detenu marrying the petitioner and, therefore, with the assistance of the 3rd respondent, she has

forcibly taken custody of her son, viz., the detenu.

3. When the matter is taken up, the detenu is produced before this Court. On enquiry, the detenu admits to the allegation that are stated in the affidavit. However, the detenu assures that he is interested in living with the petitioner and that he would continue to live with his wife forever. The wife, viz., the petitioner, has also stated her willingness to accompany her husband and continue her marital life.

4. Recording the above statement of the detenu and the petitioner, this habeas corpus petition is closed.

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

GLN
To

The Inspector of Police
All Women Police Station
Vridhachalam
Cuddalore District.

H.C.P. NO.492 OF 2018

SS(CO)
SP(25/04/2018)

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