

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.04.2018

CORAM:

THE HON'BLE MR.JUSTICE M.VENUGOPAL
AND
THE HON'BLE MRS.JUSTICE R.HEMALATHA

H.C.P.No.688 of 2018

R.Radhakrishnan

.... Petitioner

vs.

1.The Superintendent of Police,
State Bank Road,
Gopalapuram,
Coimbatore-641 018

2.The Inspector of Police,
Mahalingapuram Police Station
Pollachi, Coimbatore

... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of habeas corpus to direct the respondents herein to produce the body of petitioner's wife, Suganya, aged 24 years and the petitioner's minor son, Harshan, 4 years old, before this Court and handover to the petitioner and set them at liberty.

For Petitioner : Mr.Fox Mandal and Associates

For Respondents : R.Ravichandran,G.A., (Crl.side)

ORDER

(Order of the Court was made by R.HEMALATHA,J.)

The petitioner Mr.R.Radhakrishnan has filed the present Habeas Corpus Petition to direct the respondents to produce the body of the petitioner's wife Mrs.Suganya, aged 24 years and his minor son Harshan, aged 14 years, before this Court and set them at liberty.

2.This Court admitted the Habeas Corpus Petition and notice was issued to the respondents. In response, the respondents produced Mrs.Suganya before this Court today (09.04.2018). We interacted with her in detail. The out come of our interaction with her is that since she is being tortured by her husband R.Radhakrishnan, she left the matrimonial home on

27.03.2018, leaving a letter in the house stating the facts. Her specific contention is that since she married against the wishes of her parents, her parents did not accept her even after she left her matrimonial home and therefore, she is residing presently at Pipeline Colony, Cusat, Cochin, separately along with her son. She would further add that at present she had sold some of her jewels and is also looking out for a job. She is not willing to go back with her husband and live with him, since he is often beating her.

3.The detenue is aged about 24 years and she has also contended that she had filed a divorce petition, seeking a decree of divorce, before the Family Court, at Chittoor, Palacode District. Since the Detenue is a major, she can take her own decision in her life and does not require any guidance from this Court. The petitioner is directed to work out his remedy with regard to matrimonial disputes, in the manner known to law.

With the above observation, this Habeas Corpus Petition is disposed of.

-s/d-
Assistant Registrar (CS-IX)

True Copy

Sub-Assistant Registrar

msh

To

1.The Superintendent of Police,
State Bank Road,
Gopalapuram,
Coimbatore-641 018.

2.The Inspector of Police,
Mahalingapuram Police.

3. The Family Court
at Chittoor, Palacode District

4.The Public Prosecutor,
High Court, Madras.

H.C.P.No.688 of 2018

BR (CO)
SP (03/05/2018)