

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2018

CORAM

THE HONOURABLE DR.JUSTICE S.VIMALA

AND

THE HONOURABLE MRS.JUSTICE S.RAMATHILAGAM

H.C.P.No.848 of 2018

P.Krishnaraj .. Petitioner

Versus

1.The Inspector of Police,
Tiruchengode Rural Police Station,
Tirunchegode, Namakkal District.

2.Prabhu .. Respondents

Petition filed under Article 226 of the Constitution of India, seeking for a Writ of Habeas Corpus, to direct the respondents to produce petitioner's wife Girija F/A-23 years, before this Court and set her at liberty.

For Petitioner : Mr.T.L.Thirumalaisamy

For Respondents : Mr.R.Prathap Kumar
Additional Public Prosecutor for R1

ORDER

(Order of the Court was made by S.VIMALA,J.,)

This habeas corpus petition is filed by the petitioner / husband seeking production and custody of his wife.

2.Today, the wife is produced by the first respondent. However, the petitioner is not present.

3. The wife Girija, on enquiry, would submit that the petitioner herein is the husband and they have a female child aged 6 years and on account of the continuous harassment and cruelty meted out to her by the husband and parents of the husband, she was not able to live in the family; thereafter, she left the parental home and the petitioner also did not mind

much about the cruelty caused to her and on account of the negligence shown by the parents also, she went to the house of her friend Gomathi, and she has taken asylum there.

4. When this Court enquired about the possibility of rejoining with the husband and the child, she would state that it is the stand of the husband that he would take care of the child and he did not like the company of the wife. Therefore, she was compelled to take shelter with her friend. Thus, there is no possibility of joining with the husband.

5. Under such circumstances, there is no purpose in keeping this petition pending. Recording the statements made by the wife and recording the fact that the petitioner is not present today, this Habeas Corpus Petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ia/srk

To:

1. The Inspector of Police,
Tiruchengode Rural Police Station,
Tirunchegode, Namakkal District.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.T.L.THIRUMALAISAMY, Advocate, S.R.No. 42646

सत्यमेव जयते

H.C.P.No.848 of 2018

VBA(CO)
TR(19/07/2018)

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