

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.05.2018

CORAM

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MR.JUSTICE M.DHANDAPANI

H.C.P.No.874/2018

A.Rangasamy .. Petitioner

vs.

1.The Inspector of Police
Mathikonepalayam Police Station
Dharmapuri District.

2.Mrs.Selvi ... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the 1st respondent herein to produce the petitioner wife namely Mrs.Shoba, aged 25 years and the petitioner children namely Amulya aged about 9 years and Adithya aged about 5 years herein from illegal custody of the 2nd respondent and produce before this Court and set her at liberty.

For Petitioner : Mr.A.Ilayaperumal

For R1 : Mr.R.Prathap Kumar, APP

ORDER

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

The above Habeas Corpus Petition has been filed by the husband of the detenu Shoba, claiming that she and his children, 2 in number, who are minors, are being detained illegally.

2 Upon notice, the learned Additional Public Prosecutor appears for the 1st respondent and upon instructions, would submit that the wife of the petitioner as well as his minor children are living with the mother of his wife / mother-in-law of the petitioner herein at Bengaluru and they are living there on their own volition.

3 Since there is nothing to show that the detenus are under illegal custody of somebody, this Habeas Corpus Petition

is dismissed as maintainable. However, it is open to the petitioner to take appropriate proceedings under law for custody of his minor children.

Sd/-
Asst.Registrar (Vacation Officer)

/true copy/

Sub Asst. Registrar

AP

To

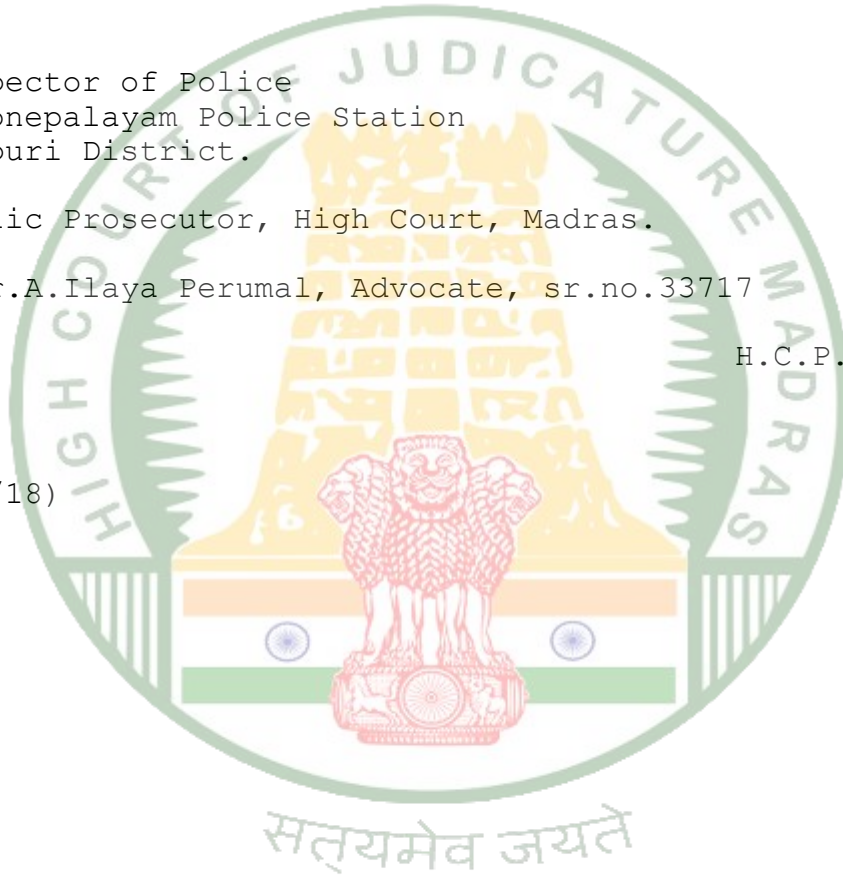
- 1.The Inspector of Police
Mathikonepalayam Police Station
Dharmapuri District.
- 2.The Public Prosecutor, High Court, Madras.

+1cc to Mr.A.Ilaya Perumal, Advocate, sr.no.33717

H.C.P.No.874/2018

MG (CO)

RRK (31/05/18)



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