

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2018

CORAM:

THE HONOURABLE MR.JUSTICE C.T.SELVAM
and
THE HONOURABLE TMT.JUSTICE S. RAMATHILAGAM

HCP. No.2635 of 2018

R.Srinivasan

... Petitioner

-Vs-

- 1.The Deputy Commissioner of Police,
Madhavaram District
Madhavaram Police Station,
Madhavaram, Chennai-600 060.
- 2.The Assistant Commissioner of Police,
Madhavaram Range,
Madhavaram Police Station,
Madhavaram, Chennai-600 060.
3. The Inspector of Police,
W-34, All Women Police Station,
Ennore, Chennai.
4. Govindammal
5. Ananthi

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents 1 to 3 to produce the petitioner's wife S.Thenmozhi under the illegal custody of the respondents 4 and 5, before this Hon'ble Court and consequently to handover the custody of the petitioner's wife S.Thenmozhi to the petitioner.

For Petitioner : M/s.C.P.Sivamohan

For Respondent : Mr.R.Prathap Kumar

Additional Public Prosecutor -For R1 to R3

ORDER

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

The detainee is the wife of the petitioner.

2. Heard the learned counsel for the petitioner and
the learned counsel for the respondents.

3. The petitioner has sought for protection to his wife S.Thenmozhi aged 36 years. The detinue has been produced by the Inspector of Police, W-34, All Women Police Station, Ennore, Chennai. The detinue informs that the petitioner ill treated her and branded her mentally sick. She has chosen to reside with her mother and sisters namely Govindammal and Ananthi/respondents 4 & 5

4. Learned Counsel for the petitioner submits that the petitioner has moved a petition for restitution of conjugal rights, which has been allowed. Learned counsel for the petitioner also referred to a report of Quantitative EEG Analyses dated 12.08.2017 conducted by Medha Mind Enhancement Company Pvt.Ltd, Chennai and informs that their two sons are under the care and custody of the petitioner/husband.

5. Under the said circumstances, the detinue informs that she taken up her residence with her mother and sister on her own accord.

6. Recording the position and leaving it to the petitioner to workout his remedy, if any, before the appropriate forum, in accordance with law, this Habeas Corpus Petition shall stand closed.

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Sd/-/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

To:

1.The Deputy Commissioner of Police,
Madhavaram District
Madhavaram Police Station,
Madhavaram, Chennai-600 060.

2.The Assistant Commissioner of Police,
Madhavaram Range,
Madhavaram Police Station,
Madhavaram, Chennai-600 060.

3. The Inspector of Police,
W-34, All Women Police Station,
Ennore, Chennai.

4.The Public Prosecutor,
High Court, Madras.

+1cc to M/s.C.P.Sivamohan , Advocate SR.No. 81516

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ASK(19/12/2018)

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