



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated:16.02.2018

Coram :-

THE HON'BLE DR.JUSTICE S.VIMALA

and

THE HON'BLE MRS.JUSTICE T.KRISHNAVALLI

Habeas Corpus Petition No.185 of 2018

Eswara Vadivu

... Petitioner

-vs-

State rep. By

1. The Superintendent of Police
Tirunelveli District, Tirunelveli.

2. The Inspector of Police
Muneerpallam Police Station,
Tirunelveli District

3.Velraj

4.Esakkiammal

5.Raja

6.Subramanian

7.Muthu

8.Karuppasamy

9.Malaiyandi

10.Mupidathi

... Respondents

Prayer: Writ petition under Article 226 of the Constitution of India is filed praying for issuance of a writ of Habeas Corpus, to direct the respondents to produce the person or body of the detenu namely, Muthukrishnan son of Palpandian aged 20 years before this Court and set him at liberty.

For petitioner : Mr.M.Saravanan

For respondents : Mr.C.Ramesh for R1 & R2
Addl. Public Prosecutor
Mr.P.Chellapandian for detenu

O R D E R

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

This petition has been filed by the petitioner for a direction to the respondents 1 and 2 to secure his son/detenu, namely, Muthukrishnan, S/o.Palpandian, aged about 20 years, on the allegation that the respondents 3 to 10 have abducted him.

2.In the affidavit filed in support of this petition, it is alleged that the detenu was found missing from 03.02.2018. It is further alleged that the respondents 3 to 10 have abducted the detenu and a complaint has also been lodged on 07.02.2018. Since no effective steps were taken on the said complaint and the whereabouts of the detenu was not known, the petitioner is before this Court with this petition.

3. Today, the learned Additional Public Prosecutor has produced the detenu through the respondent police. It is stated that the detenu once before in the police station, during which time, the parents of both of the detenu and one Sumathi were called to the police station to discuss about the marriage between the detenu and Sumathi and it is alleged that the parents of the detenu did not agree for the said marriage. On being enquired, the detenu has stated that he married the said Sumathi in the presence of her family members and friends. Later, it appears that the detenu was taken care of by Sumathi and her parents. It is further stated that even now, he is prepared to take care of both the families and he has expressed his willingness to continue the marital relationship with Sumathi.

4. Recording the said statement, the detenu is set at liberty, as he has attained majority. Accordingly, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police
Tirunelveli District,
Tirunelveli.

2. The Inspector of Police
Municipal Police Station,
Tirunelveli District



3. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.M.Saravanan, Advocate Sr.No.49583

+1cc to Mr.P.Chellapandian, Advocate Sr.No.49775

RR

VB/SV/MMS/SAR3/12/03/2018/3P/6C

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