



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated:22.02.2018

Coram :-

WEB COPY

THE HON'BLE DR.JUSTICE S.VIMALA
and
THE HON'BLE MRS.JUSTICE T.KRISHNAVALLI

Habeas Corpus Petition No.204 of 2018

Helen B.Pereira

... Petitioner

-vs-

1.The Superintendent of Police
O/o. Superintendent of Police,
Madurai North,
Madurai District

2.The Inspector of Police
Koodal Pudur Police Station,
Madurai North,
Madurai District.

3.The Inspector of Police,
Natham Police Station,
Natham, Dindigul District.

4.P.Packiam

5.P.Joseph

... 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 respondent Nos.1 to 3 to produce the person or body of the petitioner's husband namely, P.Gnanaprakasam (40/17) before this Court and set him at liberty.

For petitioner	: Mr.A.Santhanam
For respondents	: Mr.C.Ramesh
	Addl. Public Prosecutor

O R D E R

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

This petition has been filed by the petitioner/wife seeking a direction to produce her husband/detenu, namely, P.Gnanaprakasam, aged 40 years before this Court and set him at liberty.



2. According to the petitioner, her husband/detenu is the son of the respondents 4 and 5. The marriage between the petitioner and the detenu took place in the year 2012 and out of the wedlock, they have a male child, namely, Edwin. It is alleged in the affidavit that the detenu was found missing from 21.07.2017 and since his whereabouts were not known, the petitioner has preferred a complaint to the respondent police and since no effective steps were taken, she is before this Court with this petition.

3. The learned Additional Public Prosecutor would submit that the dispute is between the petitioner/wife and the detenu-husband and it is purely a matrimonial dispute.

4. Today, the petitioner and the detenu are present before this Court. On being enquired, the detenu expressed his willingness to reside with the petitioner and as the petitioner/wife is not comfortable with his family members, he would find out a residence and set up a separate family.

5. Recording his submission, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(CSIII)

/True Copy/

Sub-Assistant Registrar

To

1.The Superintendent of Police
O/o. Superintendent of Police,
Madurai North,
Madurai District

2.The Inspector of Police
Koodal Pudur Police Station,
Madurai North, Madurai District.

3.The Inspector of Police,
Natham Police Station,
Natham, Dindigul District.

4.The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.
+One cc to Mr.G.Kavitha , Advocate, SR.no.50386

RR

RL/6C/2P/SV/MMS/SAR4/13/3/2018