



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.03.2018

CORAM:

THE HONOURABLE DR. JUSTICE S.VIMALA

AND

THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

H.C.P(MD) No.242 of 2018

M.Raja

... Petitioner

-vs-

1. The Commissioner of Police,
Madurai City, Madurai.

2. The Inspector of Police,
S.S.Colony Police Station,
Madurai.

3. Mr.Justin

... Respondents

PRAYER: Petition is filed under Article 242 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, directing the respondents herein to produce the petitioner wife, namely, Sherine, W/o.R.Raja, aged about 36 years and the petitioner daughter, namely, Remcy Jehroline, S/o.R.Raja, aged 12 year before this Honourable Court and set them at liberty.

For Petitioner : Mr.C.Jeganathan
For M/s.M.S.Veera Associates
For R1 & R2 : Mr.K.Dinesh Babu
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, seeking direction to the respondents 1 & 2 herein to produce his wife, namely, Sherine (1st detenu), W/o.R.Raja, aged about 36 years and his daughter, namely, Remcy Jehroline (2nd detenu), D/o.R.Raja, aged 12 year / detenus before this Court and set them at liberty.

2. According to the petitioner, he married the 1st detenu in the year 2003, which was a love-cum-arranged marriage and out of their wedlock, they were blessed with two children, viz., a female child (2nd detenu herein) and a son. While so, from 10.02.2018 onwards, his wife was found missing along with his daughter and suspecting the involvement of the third respondent over their missing, the petitioner has preferred a complaint to the respondent police, the petitioner is before this Court.



3. The learned Additional Public Prosecutor has produced both the detenus through the respondent police and the petitioner is also present before this Court.

4. On enquiry with the petitioner and the 1st detenu, it is alleged that the third respondent, who is claiming himself as an Acupuncture Doctor, has been continuously causing disturbance to their marriageable life in guise of providing treatment to the parents of the 1st detenu and started interfering with their day-to-day life, as otherwise there is no problem in existence between the petitioner and the 1st detenu. The 1st detenu has expressed that she is desirous to accompany the petitioner along with the 2nd detenu.

5. Recording the submission made by the detenu and taking into account the fact that she is major, this Habeas Corpus Petition is closed and the 1st detenu is set at liberty to go with the petitioner along with the 2nd detenu. In the event of receipt of any complaint either from the petitioner or from the 1st detenu in respect of any threat on the side of the 3rd respondent, the 2nd respondent is directed to take suitable action against the third respondent in accordance with law.

Sd/
Assistant Registrar(T&P)

/True copy/

Sub Assistant Registrar

To:

1. The Commissioner of Police,
Madurai City, Madurai.
2. The Inspector of Police,
S.S.Colony Police Station,
Madurai.
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.VEERA ASSOCIATES, Advocate, SR.No.57791

H.C.P (MD) No.242 of 2018
23.03.2018

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