



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2018

CORAM:

WEB COPY

THE HONOURABLE DR. JUSTICE S.VIMALA
AND
THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

HCP [MD].No.251 of 2018

A.Vinothkumar : Petitioner

Vs.

1. The Inspector of Police,
Kabisthalam Police Station,
Kabisthalam,
Thanjavur District.
2. The Inspector of Police,
All Women Police Station,
Valuthur, Thanjavur District.

3.S.Jayakumar : Respondents

PRAYER: Habeas Corpus Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Habeas Corpus directing the respondents 1 and 2 to produce the body or person of the petitioner's wife namely Jeevitha, W/o.Vinothkumar, aged 23 years and to secure and produce the body or person of the petitioner's minor child namely Viswitha, D/o.Vinothkumar, aged about three years, the detenus before this Court, illegally detained by the third respondent and set the first detenu at liberty and to handover the custody of the second detenu to the petitioner forthwith.

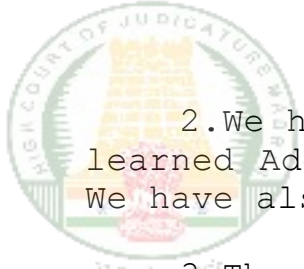
For Petitioner	: Mr.M.Suri
For R1 and R2	: Mr.K.Dinesh Banu Additional Public Prosecutor
For R3	: No appearance

ORDER

[Order of the Court was made by

S.VIMALA, J]

This petition has been filed by the petitioner, seeking production of his wife namely Jeevitha, W/o.Vinothkumar, aged 23 years and his minor child, namely, Viswitha, D/o.Vinothkumar, aged about three years.



2. We have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents 1 and 2. We have also perused the records carefully.

3. The respondents police have produced the detenu, namely, Jeevitha along with the child, before this Court. After counselling, the detenu would state that she wanted to stay with her parents. Upon hearing the stand taken by the detenu, the petitioner would submit that he has no objection for the child to grow with the detenu and he may be given a visitation rights to see the child.

4. The third respondent, who is present before this Court, has given an undertaking that he will neither cause any disturbance to the detenu nor attempt to contact her in future.

5. Recording the statements made by the detenu and the petitioner as well as the undertaking given by the third respondent, this Habeas Corpus Petition is closed and as the detenu is a major, she is set at liberty.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
Kabisthalam Police Station,
Kabisthalam,
Thanjavur District.
2. The Inspector of Police,
All Women Police Station,
Valuthur, Thanjavur District.
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

+ 1 cc TO Mr.M.Suri , Advocate in SR No. 58107

rj2

AE/JC/SAR1/20.04.2018/2P/5C