



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.03.2018

CORAM:

THE HONOURABLE DR.JUSTICE S.VIMALA

AND

THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

H.C.P. (MD) No.1858 of 2017

V.Ganeshan

: Petitioner

Vs

1. The Superintendent of Police,
Virudhunagar District, Virudhunagar.
2. The Sub-Inspector of Police,
Veeracholan Police Station,
Virudhunagar District.
3. The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.
(R3 is impleaded as per order of this
Court made in CrI.M.P.(MD)No.431 of 2018
in HCP(MD)No.1858 of 2017, dated 22.1.18)

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the respondents to produce the person or body of the detenu's wife namely Eswari, W/o.V.Ganeshan aged about 35 years before this Court and set her liberty.

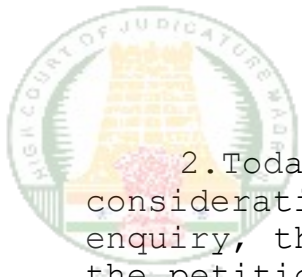
For Petitioner
For Respondents

: Mr.R.Balamurugan
: Mr.K.Dinesh Babu
Additional Public Prosecutor

ORDER

[Order of the Court was made by **S.VIMALA, J.**]

This petition has been filed by the husband of the detenu seeking direction to the respondents to produce the person or body of the detenu viz., Eswari, W/o.V.Ganeshan aged about 35 years, the wife of the petitioner.



2.Today, when the Habeas Corpus Petition was taken up for consideration, the detenue was produced before this Court. On enquiry, the detenue submitted that she is not inclined to live with the petitioner/husband, as he is allegedly suspecting the conduct of the detenue/wife of the petitioner. Despite persuasion, she is categorical in saying that she is not inclined to live with the petitioner.

3.Recording the statement of the detenue, the Habeas Corpus Petition is closed and as the detenue is a major, she is set at liberty. It is open to the petitioner/husband to work out his remedy before the appropriate forum, by filing appropriate petition for restitution of conjugal rights, if he is inclined to live with the wife, as stated by the learned counsel for the petitioner.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Virudhunagar District,
Virudhunagar.
2. The Sub-Inspector of Police,
Veeracholan Police Station,
Virudhunagar District.
3. The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

rj2

MV:SV-MMS:SAR1:21/03/2018/2P/5C

H.C.P. (MD) No.1858 of 2017

01.03.2018