



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.11.2018

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH
AND
THE HONOURABLE MRS. JUSTICE R.THARANI

H.C.P. (MD) No.1546 of 2018

S.S.Saravanan : Petitioner

Vs.

1.The Superintendent of Prison
Trichy District
Trichy.

2.The Inspector of Police,
All women Police Station,
Jeeyapuram
Trichy District.

3.Senthamilselvi

4.Valli Priyadharshini

5.Karthik Saravanan : Respondents

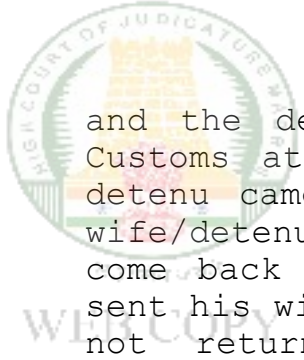
PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, to direct the respondents to produce the petitioner's wife namely, K.Shabari Sri, aged about 29 years before this Court and set her at liberty.

For Petitioner : Mr.T.Elango
For Respondents : Mr.V.Neelakandan for R1 & R2
Additional Public Prosecutor

ORDER

[Order of the Court was made by R.SUBBIAH, J]

This Habeas Corpus Petition has been filed by the petitioner to produce his wife, K.Shabari Sri, aged 29 years before this Court and set her at liberty.



and the detenu took place on 25.05.2018 as per Hindu Rites and Customs at Trichy. While so, on 21.09.2018, the parents of the detenu came to the house of the petitioner and took his pregnant wife/detenu along with them to their house stating that she will come back after two days. Believing their words, the petitioner sent his wife along with her parents. However, since the detenu has not returned home, the petitioner preferred a complaint on 16.10.2018 before the second respondent. Since no effective steps were taken, the petitioner is before this Court with this petition.

3. Today, when the matter is taken up for hearing, the detenu has been produced by the respondent police. On enquiry, the detenu stated that she is not under the illegal custody of anyone and due to some matrimonial dispute, she is staying along with her parents and this petition has been filed with false averments.

4. From the submission made by the detenu, we are of the opinion that it is nothing but a matrimonial dispute and absolutely, there is no illegal detention and the detenu is only with her mother and this petition has been filed only to convert the matrimonial dispute to that of an illegal custody and therefore, it is a fit case to impose a cost of Rs.5,000/- (Rupees five thousand only) payable by the petitioner to the Chief Justice Relief Fund within a period of two weeks from the date of receipt of a copy of this order.

5. With the above observation and direction, this petition is closed.

6. Post this matter after two weeks 'for reporting compliance'.

Sd/-
Assistant Registrar(C.O)

/True Copy/

Sub Assistant Registrar(CS-IV)

RR

To

1. The Superintendent of Prison
Trichy District
Trichy.

2. The Inspector of Police,
All women Police Station,
Jeeyapuram

<https://hcservices.ecourts.gov.in/hcservices/>
Trichy District.



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

Copy to
The Section Officer,
Accounts Section,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.T.Elango, Advocate in SR No.95281

H.C.P. (MD) No.1546 of 2018

NM/SV/SAR IV/19.11.18/3P/6C.