



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 31.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR
H.C.P[MD]No.1362 of 2018

WEB COPY

Sivakrishnan

: Petitioner

Vs.

1. The Superintendent of Police,
Thoothukudi District, Thoothukudi.

2. The Inspector of Police,
Thattarmadam Police Station,
Thattarmadam, Sathankulam Taluk,
Thoothukudi District.

3. Palthurai Nadar

4. Selvi

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, directing the second respondent herein to produce the body or person of the detenu by name P.Bala Maheswari, W/o. M.Sivakrishnan, aged about 23 years, who has been illegally detained by the respondents 3 and 4 and produce her before this Court and set her at liberty.

For Petitioner : Mr.A.Thiruvadikumar

For Respondents 1&2 : Mr.K.Dinesh Babu

Additional Public Prosecutor.

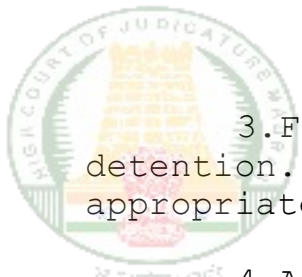
R3&R4 : Mr.M.Laxmimahendreaa

O R D E R

[Order of the Court was made by M.M.SUNDRESH, J.]

The same position continues even today. The petitioner seeks further final chance. Therefore, we direct both the detenu and the petitioner to have an open talk for one more time in our chambers. The petitioner specifically agree that if the detenu is not willing, then he would agree for divorce.

2.After a detailed discussion, once again this matter is taken up in the afternoon. The detenu reiterated her earlier stand. However, the petitioner has changed his stand and informd that he would give divorce.



3. From the above, it is clear that there is no illegal detention. The petitioner seeks liberty from us to file appropriate petition for divorce.

4. At this stage, the learned Counsel for the detenu would submit that she would file a case for divorce within four [4] weeks from the date of receipt of a copy of this order. He would further submit that considering the age of the detenu, a direction may be issued to the Subordinate Court, Tiruchendur, to take up the matter and dispose of, in a time bound manner.

5. In view of the above, as and when the divorce petition is filed on behalf of the detenu, the same may be disposed of by the Subordinate Court, Tiruchendur, within a period of six [6] months.

6. The Habeas Corpus Petition is closed, accordingly.

Sd/-

Assistant Registrar (Crl. side)

/True Copy/

Sub Assistant Registrar (CS-III)

To

1. The Subordinate Judge,
Tiruchendur.
2. The Superintendent of Police,
Thoothukudi District, Thoothukudi.
3. The Inspector of Police,
Thattarmadam Police Station,
Thattarmadam, Sathankulam Taluk,
Thoothukudi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 cc To Mr. M. Laxmimahendrar, ADVOCATE IN SR NO. 93472
mr
MK/KK/SV/SAR 3/31.12.2018/2P/6C

ORDER MADE IN
H.C.P [MD] No. 1362 of 2018
31.10.2018