

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2019

CORAM

THE HONOURABLE Mr.JUSTICE M.SATHYANARAYANAN
and
THE HONOURABLE Mr.JUSTICE M.NIRMAL KUMAR

HCP.No.235 of 2019

M.Saravanan

.. Petitioner

Vs.

1. The State

Represented by Superintendent of Police
Thiruvallur District
Thiruvallur.

2. The State

Rep by the Inspector of Police
C5, Vengal Police Station
Thiruvallur District.

3.Chinthamani

4.Amulu

... Respondents

Prayer : Habeas Corpus Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Habeas Corpus directing the respondents 1 and 2 herein to produce the body and person of the said detenu Mr.Santhakumar, aged about 21 years, the son of the petitioner before this Court and thereafter, set him at liberty

For Petitioner : Mr.K.Balaji

For Respondents:Mr.C.Iyyaparaj [R1 & R2]
Additional Public Prosecutor

ORDER

[Judgment of the Court was made by M.SATHYANARAYANAN, J.,]

The order dated 15.02.2019 passed by this Court shall be read in conjuncture with the order to be passed now.

2. Tmt.Chinthamani, the third respondent herein is present before this Court today along with her parents and her husband.

3. Mr.Karthick, husband of the third respondent has been enquired into and would state that at present, he is not inclined to take back her wife with him.

4. The parents of the third respondent were also enquired into and they agreed to take back her daughter-the third respondent herein, into their custody and assured to maintain her in a proper manner.

5. This Court, in the earlier order dated 15.02.2019 has recorded that the detenu was produced before the Court and he had agreed to go with his father and accordingly he was taken by this father to his parental home. Since, the husband of the third respondent is not interested to take back his wife with him, this Court does not want to interfere in the decision taken by him, and leave it to him as it is a personal affair between him and his wife.

6. In the light of the above facts and circumstances, this Habeas Corpus Petition is closed and as agreed by them, the custody of the third respondent shall be handed over to her parents namely Mrs.Amulu and Mr.Ayyappan, residing at Tharkas Village, Vilangadupakkam Panchayat, Madhavaram Taluk, Thiruvallur District.

s/d-
Assistant Registrar (CS VI)

True Copy

Sub-Assistant Registrar

ds

To:

1.The Superintendent of Police
Thiruvallur District
Thiruvallur.

2.The Inspector of Police
C5, Vengal Police Station
Thiruvallur District.

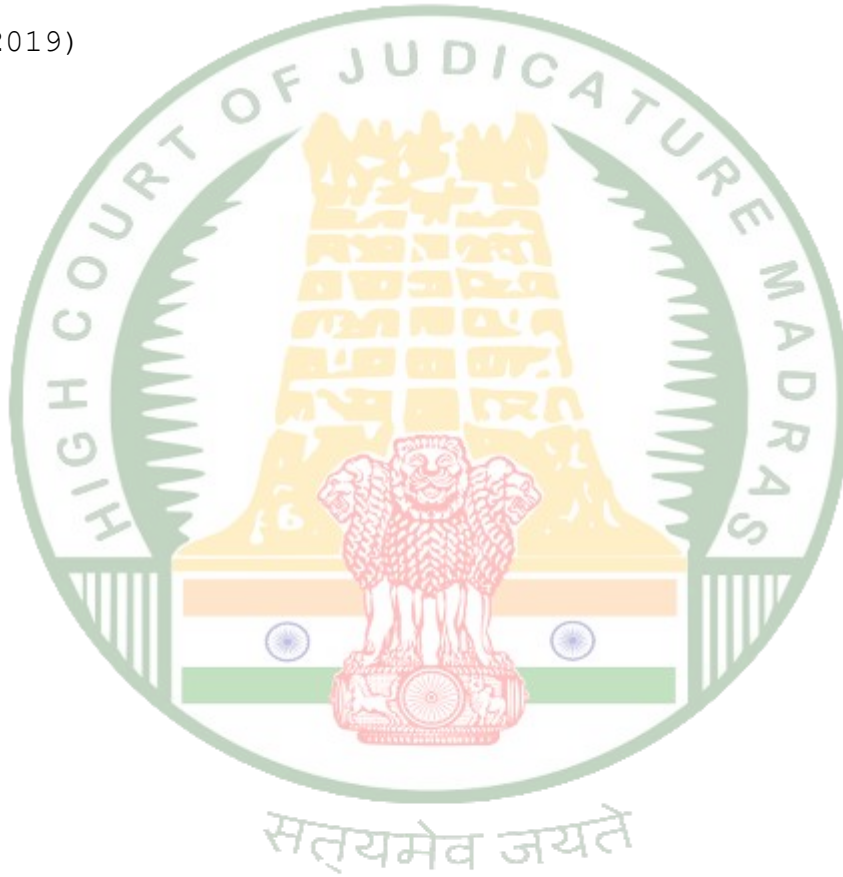
3.The Public Prosecutor
High Court, Madras.

4. The officer Incharge
Avvai Home and Orphanage
24/41, Besant AVE Road, New NGO Colony
Karpagam Gardens, Adyar, Chennai 600 020.

+1 CC to Mr.K.Balaji, Advocate sr 15452

HCP.No.235 of 2019

RSI (CO)
SP(01/04/2019)



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