

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.09.2019

CORAM

THE HON'BLE MR. JUSTICE M.M.SUNDRESH
AND
THE HON'BLE MR. JUSTICE RMT. TEEKAA RAMAN

H.C.P. No. 911 of 2019

S.Saradha ... Petitioner

-vs-

1.The Deputy Superintendent of Police,
Mangalmedu Sub-Division,
Perambalur District.

2.The Sub-Inspector of Police,
Kunnam Police Station,
Perambalur District.

3.Ravichandran ... Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus directing the second respondent to produce the petitioner's husband Sakthivel, S/o. Ravichandran, aged about 24 years, before this Court from the illegal custody of the third respondent and set him at liberty.

For Petitioner : Mr.R.Ganesh Kumar

For Respondents : Mr.R.Prathap Kumar
: Addl. Public Prosecutor
for R1,R2

ORDER

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

The petitioner claiming to be the wife of the detenu has come forward to file this habeas corpus petition.

2. The detenu has informed us that he is not in the illegal custody. We also do not want to go into the factum of the marriage between the petitioner and the detenu. In view of the specific claim made by the petitioner that the child was born

out of the relationship as against the denial on the part of the detenu, DNA test was ordered to be conducted.

3.The DNA test proved that the detenu is the father of the child. However, we are on the illegal custody of the detenu. Inasmuch as the detenu is not in the illegal custody, we are not inclined to pass any further orders in this regard particularly when the petitioner is not inclined to receive any money for the upkeep of the child.

4. In such view of the matter, the Habeas Corpus Petition stands dismissed.

mmi/ssm

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The Deputy Superintendent of Police,
Mangalmedu Sub-Division,
Perambalur District.
- 2.The Sub-Inspector of Police,
Kunnam Police Station,
Perambalur District.
- 3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Ganesh Kumar, Advocate, SR.No. 78817

+1cc to Mr.Pichai Pillai, Advocate, SR.No.79631

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Kak(18/10/2019)

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