

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2019

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice M.NIRMAL KUMAR

H.C.P.No.914 of 2019

Sharif .. Petitioner/Husband of the Detenue

Vs

1.The State rep. by
The Senior Superintendent of Police,
Orleanpet Police Complex,
Puducherry, Puducherry U.T.

2.The State rep. by
The Inspector of Police,
Dhanvantri Nagar Police Station,
Puducherry, Puducherry U.T.

3.Siva .. Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of habeas corpus, directing the second respondent herein to produce the body and person of the detenue by name Akshaya aged about 23 years before this Court and set her at liberty.

For Petitioner .. Mr.D.Arun

For Respondents.. Mr.Bharatha Chakravarthy,
Public Prosecutor (Pondy)

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

Seeking a direction to the second respondent to produce the body and person of the detenue by name Akshaya aged about 23 years before this Court and set her at liberty, the petitioner has filed the present habeas corpus petition.

2.The petitioner has filed this petition claiming to be the husband of the detainee. According to the petitioner, the detainee is in the illegal custody of the third respondent.

3.Today, the petitioner, the detainee and the mother of the detainee are present. They were present even on the last occasion. The detainee, as stated earlier, has informed us that she has no intention to go with the petitioner and she is not in the illegal custody. The petitioner has also handed over two cell phones, Tab and other materials belonging to the detainee. However, he has stated that the remaining materials also would be handed over to his counsel, who, in turn, would hand over the same to the learned counsel for the third respondent.

4.The aforesaid statement made by the petitioner stands recorded. Both the petitioner and the third respondent has informed us that they will not disturb each other. The petitioner also informed us that he will not indulge in any force to secure the detainee. The said statement made by the petitioner also stands recorded.

5.In view of the above, this habeas corpus petition is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1.The Senior Superintendent of Police,
Orleanpet Police Complex,
Puducherry, Puducherry U.T.

2.The Inspector of Police,
Dhanvantri Nagar Police Station,
Puducherry, Puducherry U.T.

+1 cc to Mr.A.Arumugam, Advocate Sr.No.47233

+1 cc to Mr.D.Arun, Advocate Sr.No.48196

+1 cc to The Public Prosecutor, (Pondicherry), Sr.No.47345

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VBA (CO)

CSL/11.07.2019