

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.05.2019

CORAM

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR
and
THE HON'BLE Ms.JUSTICE P.T.ASHA

H.C.P.No.961 of 2019

S.P.Arun

... Petitioner

..Vs..

1. State, rep. by
The Commissioner of Police,
Coimbatore City,
Coimbatore 641 018.

2. State rep. by
The Inspector of Police (L & O),
Kuniyamuthur Police Station,
Coimbatore 641 042.

3. Mohammed Ali

4. Usha

5. Pastor Joseph Rajan

.... Respondents

PRAYER:-Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus to direct the 2nd respondent to produce the petitioner's wife Wahida aged about 41 years, and minor children viz. Alan, aged about 10 years, Alwin, aged about 7 years from the illegal custody of the respondents 3 to 5 and set them at liberty.

For Petitioner : Mr.J.Harikrishna

For Respondents : Ms.P.Krithika Kamal
Govt. Advocate
(Crl. Side) R1 and R2

O R D E R
(Order of the Court was made by N.SATHISH KUMAR, J.)

This petition has been filed to direct the 2nd respondent to produce the petitioner's wife Wahida aged about 41 years, and minor children viz. Alan, aged about 10 years, Alwin, aged about 7 years from the illegal custody of the respondents 3 to 5 and set them at liberty.

2. The detenue and her minor children were produced. The petitioner was also present. We had interacted with them. It appears that only a petty issue lead to their separation for some time.

3. The petitioner has undertaken before this Court to take care of the detenue and his children. Similarly, the detenue Wahida also informed us that she will join with the petitioner and also requested that she should not be ill-treated by her husband. The petitioner also assured that he will take care of his wife without any deviation.

4. Further, it appears to us that both require some counselling. In view of the same, both the petitioner and his wife are directed to appear before the Secretary, District Legal Service, Coimbatore on the first working day of every month commencing from 03.06.2019. The Secretary shall, as far as possible, try to give them some counselling with the help of trained mediators available in the centre and inquire about their well being. It is for the Secretary to dispense with their appearance after satisfying himself that they are leading a normal life.

5. With these observations, this Habeas Corpus Petition is disposed of.
vrc/mst

Sd/-
Deputy Registrar (J)

//True Copy//

Sub Assistant Registrar

To

1. The Commissioner of Police,
Coimbatore City,
Coimbatore 641 018.
2. The Inspector of Police (L & O),
Kuniyamuthur Police Station,
Coimbatore 641 042.

3. The Secretary,
District Legal Service Authority,
Coimbatore.

4. The Public Prosecutor,
Madras High Court, Chennai.

+2cc to Mr.J.Harikrishna Advocate, SR.No.44361

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Kak(28/06/2019)



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