

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2019

CORAM

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

H.C.P.NO.1926 OF 2019

B.Vinothkumar

... Petitioner

-vs-

1. State by  
The Superintendent of Police,  
Vellore District, Vellore - 632 001.

2. The Inspector of Police,  
Veppankuppam Police Station,  
Vellore District.

3. V.Thandapani

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of habeas corpus to direct the second respondent to produce the body of petitioner's wife namely Mrs.T.Divya, aged about 22 years before this Court from the custody of the third respondent and set her at liberty.

For Petitioner : Mr.M.Palanimuthu

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

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

Seeking a direction to the second respondent to produce the body of petitioner's wife namely T.Divya, aged about 22 years before this Court from the custody of the third respondent and set her at liberty, the present habeas corpus petition has been filed.

2.We have already passed an order on 10.09.2019. There is no further progress thereafter. The detinue once again renews her request for return of her certificates for which the petitioner has stated that he does not possess.

3.Learned counsel appearing for the detinue has submitted that certain documents/certificates viz., 10th Mark Sheet, 12th Mark Sheet, 12th Conduct Certificate, Attendance Certificate, Degree Certificate, Skill Certificate for Communication, College Transfer Certificate, 6 mark sheets, Consolidated Mark Sheet, Kavithai Certificate, Provisional Certificate, Typewriting Certificates both in Tamil and English, Computer Certificate, Community Certificate, Aadhar Card, PAN Card, Voter Identity Card, Bank Pass Book and ATM card are with the petitioner, which he denies. We are not inclined to go into the said issue.

4.Accordingly, we direct the concerned school authority, college authority and the authority competent to issue Community Certificate, Aadhar Card, PAN Card, Voter Identity Card as well as the officials of the Indian Bank to hand over certified copies of the documents/certificates sought for by the detinue by taking note of the peculiar facts of the case.

5.We do not find any illegal detention involved. We make it clear that as we observed reluctance on the part of the petitioner to let the detinue go notwithstanding her decision and in the light of the apprehension expressed both by the detinue and the counsel, in the event of any further disturbance by the petitioner, the detinue is at liberty to approach the jurisdictional police and as and when she approaches, we expect the concerned police to take appropriate action in accordance with law.

6.With the above observation, the habeas corpus petition stands closed.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mmi/ssm

To

1. The Superintendent of Police,  
Vellore District, Vellore - 632 001.

2. The Inspector of Police,  
Veppankuppam Police Station,  
Vellore District.

3. The Public Prosecutor,  
High Court, Madras.

+1cc to Mr.M.Palanimuthu, Advocate, S.R.No.90205

H.C.P.No.1926 of 2019

PP (CO)  
CS/10/12/2019



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