

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2019

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice RMT. TEEKAA RAMAN

H.C.P. No. 2171 of 2019

B.Ratheesh Babu

... Petitioner

-vs-

1.The Commissioner of Police,
Chennai, Vepery,
Chennai - 600 007.

2.The Superintendent of Police,
Thiruvallur District,
Thiruvallur.

3.The Inspector of Police,
Ambattur Police Station,
Ambattur, Chennai.

... Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus directing the third respondent to produce the petitioner's wife V.Gomathi, W/o. B.Ratheesh Babu and D/o. Venkatesan, aged about 27 years, before this Court and set her at liberty.

For Petitioner : Mr.M.Selvam

For Respondents : Mr.R.Prathap Kumar
Addl. Public Prosecutor

For detainee : Mr.M.Vinoth
Mr.S.Yogaraj Sekar

ORDER

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

Seeking a direction to the third respondent to produce the petitioner's wife V.Gomathi, W/o. B.Ratheesh Babu and D/o. Venkatesan, aged about 27 years, before this Court and to set her at liberty, the present Habeas Corpus Petition has been filed.

2. It is very unfortunate that the writ petition has been filed notwithstanding the knowledge of the decree obtained in O.S.No.212 of 2018 dated 22.01.2019, though ex-parte, declaring the marriage between the parties as nullity.

3. The petitioner has also filed a petition to set aside the ex-pate decree. We do not wish to say anything more except by observing that this is an abuse of process of law.

4. We may note that the detenue is made to appear before us and she reiterated the above said facts once again. She clearly stated that she has got no truck with the petitioner.

5. In view of the above, the Habeas Corpus Petition stands dismissed.

-s/d-

Assistant Registrar(CS-I)

True Copy

Sub-Assistant Registrar

mmi/ssm
To

1.The Commissioner of Police,
Chennai, Vepery,
Chennai - 600 007.

2.The Superintendent of Police,
Thiruvallur District,
Thiruvallur.

3.The Inspector of Police,
Ambattur Police Station,
Ambattur, Chennai.

4.The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.M.Selvam, Advocate sr 86973.

H.C.P. No. 2171 of 2019

MR(CO)
SP(21/11/2019)