

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
AND
THE HONOURABLE MRS.JUSTICE R.HEMALATHA

H.C.P.No.501 of 2020

M.Mahendran

... Petitioner

Vs

1. The State rep. by
The Superintendent of Police,
Salem District,
Salem.

2. The State rep. by
The Inspector of Police,
Thivattipatti Police Station,
Salem District.

3. Munusamy.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Habeas Corpus, directing the respondent herein to produce the body and person of the detainee by name M.Kokila, aged about 23 years before this Court and set her at liberty.

For Petitioner : Mr.S.Periasamy.

For Respondent : Mr.R.Prathap Kumar
Additional Public Prosecutor.

ORDER

(Order of the court was made by MRS.R.HEMALATHA.J.,)

The petitioner viz., M.Mahendran S/o.Munusamy filed this present petition to produce the detainee, his wife, M.Kokila, aged about 23 years before this Court and set her at liberty.

2. In the affidavit filed along with this petition, the petitioner has contended that he married the detainee, M.Kokila on 14.10.2018 and that she went missing from the matrimonial

home since 11.02.2020. According to the petitioner, complaint lodged by him with the Inspector of Police and the Superintendent of Police went futile and therefore, he filed the present petition.

3. Notice was issued to the respondents and in response to the notice, the Inspector of Police, Dheevattipatti Police Station produced the detinue before this Court. The petitioner is also present today. We interacted with the detinue and the petitioner. Both of them informed this Court that they got married at a Sivan Temple, Semmandipatti, Omalur Taluk on 14.10.2018 and that the detinue is willing to go with her husband, the petitioner herein.

4. Since both the detinue as well as the petitioner are majors, this Court is of the considered opinion that they do not require any guidance or assistance. Therefore, the detinue is set at liberty and this Writ Petition is closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police,
Salem District,
Salem.

2. The Inspector of Police,
Thivattipatti Police Station,
Salem District.

3. The Public Prosecutor,
High Court of Madras,
Chennai.

H.C.P.No.501 of 2020

SAI (CO)
GS (29/05/2020)