IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.10.2020

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice D.KRISHNAKUMAR

H.C.P. Nos. 1561 and 1611 of 2020

Dr.R.T.Aravindhahari ... Petitioner
in HCP.No.1561 of 2020

Dr.Aruna ...Petitioner
in HCP.No.1611 of 2020

-vs-

1. The Commissioner of Police
Greater Chennai, Chennai

2. The Inspector of Police
J-10 Chemmancheri Police Station
Chennai.

3. Sabrish ... Respondents
in HCP.No.1561 of 2020

1. The Commissioner of Police
Pondicherry

2. The Assistant Commissioner of Police,
Villiyanur Police Station,
Villuyanur, Pondicherry.

3. The Inspector of Police,
Villiyanur Police Station,
Villiyanur, Pondicherry. ... Respondents
in HCP.No.1611 of 2020

WEB COPY

Prayer in HCP.No.1561 of 2020:- Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the second respondent to produce the body of the petitioner's wife Aruna W/o.Aravindhraj female aged about 32 years who has been illegally detained by the third respondent.

Prayer in HCP.No.1611 of 2020:- Petition file under Artcile 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents to produce the body of the

https://hcservices.ecourts.gov.in/hcservices/

petitioner's son Minor Arijit, aged about 5 years before this Court and hand over custody to the petitioner.

For Petitioner : Mr.S.Ayyadurai in HCP No.1561 of 2020
No appearance in HCP No.1611 of 2020

For Respondents : Mr.R.Prathap Kumar
Addl. Public Prosecutor for R1 & R2
Mr.A.M.Amuthaganesh for R3
in HCP No.1561 of 2020

Mr.Bharatha Chakravarthi,
Public Prosecutor (Pondicherry)
in HCP.No.1611 of 2020

C O M M O N O R D E R

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

Seeking a direction to the second respondent to produce the body of the petitioner's wife Aruna aged about 32 years who has been illegally detained by the third respondent and also seeking a direction to the respondents to produce the body of the petitioner's son Minor Arijit, aged about 5 years before this Court and hand over the custody to the petitioner, the present habeas corpus petitions have been filed.

2. There was no representation on behalf of the petitioner in HCP No.1611 of 2020. Pursuant to the earlier order passed by this Court dated 23.09.2020, a meeting was arranged by the Assistant Commissioner of Police, Madipakkam Range, Greater Chennai Police. The affidavit filed would indicate that both the petitioner and the detenu have agreed to part ways by going for mutual divorce. The child born out of the wedlock is to be under the custody of the detenu in HCP.No.1561 of 2020. Both the petitioner and the detenu are Doctors.

3. The detenu in HCP.No.1561 of 2020 is present. She being a Doctor (Psychologist), she accordingly informed us that she does not want any financial help for the upgrowing of the child, who is the detenu in HCP.No.1611 of 2020. In such view of the matter, we are not inclined to pass any specific order in this regard. If the petitioner in HCP.No.1561 of 2020 is otherwise willing to contribute for the educational expenses of the child among others, he is at liberty to do so.

4. By recording the affidavit filed by the Assistant

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/

Commissioner of Police, Madipakkam Range, Greater Chenna Police before whom the said statement was made by the parties that they would go for mutual divorce, these habeas corpus petitions stand closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1. The Commissioner of Police
   Greater Chennai, Chennai

2. The Inspector of Police
   J-10 Chemmancheri Police Station
   Chennai.

3. The Commissioner of Police
   Pondicherry

4. The Assistant Commissioner of Police,
   Villiyanur Police Station,
   Villuyanur,Pondicherry.

5. The Inspector of Police,
   Villiyanur Police Station,
   Villiyanur, Pondicherry.

6. The Public Prosecutor,
   High Court, Madras.

7. The Assistant Commissioner of Police,
   Madipakkam Range, Greater Chennai Police.

+1cc to Mr.A.M.Amutha Ganesh, Advocate, Sr.No.35112
+1cc to Mr.T.K.Saravanan, Advocate, Sr.No.34958

WEB COPY

H.C.P. Nos. 1561 & 1611 of 2020

pa (co)
rr ii (20/11/2020)

https://hcservices.ecourts.gov.in/hcservices/