

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2020

Coram

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

H.C.P. No. 1947 of 2020

K.Gnanamoorthy

... Petitioner

Vs.

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

2.The Inspector of Police,
Vadalure Police Station,
Kurinjipadi Taluk,
Cuddalore - 607 303.

3.Govinthammal

... Respondents

Petition filed under Article 226 of the Constitution of India praying for a Writ of Habeas Corpus directing the second respondent herein to produce the body and person of the petitioner's wife by name Nandhini, major, aged about 26 years, before this Court from the custody of the third respondent and set her at liberty.

For Petitioner : Ms.S.Punitha Devakumar

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

ORDER

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

Seeking a direction to the second respondent to produce the body and person of the petitioner's wife by name Nandhini before this Court from the custody of the third respondent and set her at liberty, the present habeas corpus petition has been filed.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for respondents 1 and 2.

3. Learned Additional Public Prosecutor submitted that the present petition has been filed on the very next day, after giving the complaint. An FIR was registered and enquiry was conducted by calling both the petitioner and the detinue. In the enquiry, the petitioner has acknowledged the fact that he was married earlier. The petitioner has also given a statement that the detinue, after knowing that the petitioner was already married, went with her mother. However, the said factum has been suppressed in the present petition.

4. The detinue is present today. She has also stated that she is voluntarily, on her own, living with her mother/third respondent.

5. In view of the same, the detinue is set at liberty and this habeas corpus petition stands closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mmi/ssm
To

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

2. The Inspector of Police,
Vadalure Police Station,
Kurinjipadi Taluk,
Cuddalore - 607 303.

3. The Public Prosecutor,
High Court, Madras.

H.C.P. No. 1947 of 2020

mp[co]
srg 14/12/2020