

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2020

Coram

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

H.C.P. No. 1539 of 2019

J.Karpagam

... Petitioner

-vs-

1.The Superintendent of Police,
Office of the Superintendent of Police (South),
Ariyankuppam, Puducherry.

2.The Inspector of Police,
Kirumampakkam Police Station,
Puducherry.

3.Parikhita Behera

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of habeas corpus directing the respondents to produce the petitioner's husband by name detenu Jitendrakumar Behera, S/o.Parikhita Behera, aged about 32 years, from the illegal custody of the third respondent, before this Court and set him at liberty.

For Petitioner : M/s.Muruganantham.T

For Respondents : Mr.V.Balamurugane
Addl. Public Prosecutor (Pondy)

ORDER

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

Seeking a direction the respondents to produce the petitioner's husband Jitendrakumar Behera, S/o.Parikhita Behera, aged about 32 years, from the illegal custody of the third respondent, before this Court and to set him at liberty, the present habeas corpus petition has been filed.

2. There is no representation on behalf of the petitioner. Heard the learned Additional Public Prosecutor (Puducherry) appearing for respondents 1 and 2.

3. The petitioner, is the wife of the detenu. Pursuant to the complaint given on 10.07.2019, the petitioner has filed this petition, inter alia, alleging that her husband is in the illegal custody of the third respondent.

4. Learned Additional Public Prosecutor (Puducherry) submitted that the enquiry made reveals that the detenu is the husband of the petitioner and he does not want to rejoin her and that is the reason why he is avoiding the petitioner. It has also been brought to our notice that the petitioner knows very well the address of the detenu in which he is residing as of now.

5. In view of the above, we do not find any illegal detention involved in this case and the habeas corpus petition stands closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

mmi/ssm

To

1. The Superintendent of Police,
Office of the Superintendent of Police (South),
Ariyankuppam, Puducherry.

2. The Inspector of Police,
Kirumampakkam Police Station,
Puducherry.

3. The Additional Public Prosecutor,
High Court, Madras.

H.C.P. No. 1539 of 2019

RR (CO)
GN (07/01/2021)