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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

H.C.P.(MD) No.769 of 2020

R.Sitthukumar

... Petitioner

-vs-

1.The Superintendent of Police
Dindigul District, Dindigul

2.The Inspector of Police
Vathalagundu Police Station
Dindigul District

3.Amalraj
C/o.Dayana Mineral Water Company
Vathalagundu
Dindigul District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 and 2 to produce the body of the petitioner wife Anjuka, daughter of Palanichamy, aged about 21 years, the detainee herein, before this Court and set her at liberty.

For Petitioner : Mr.E.Marees Kumar

For Respondents : Mr.V.Neelakandan
Additional Public Prosecutor for R1 & R2

O R D E R

[Order of the Court was made by K.KALYANASUNDARAM, J.]

The petitioner has filed this habeas corpus petition seeking direction to the respondents 1 and 2 to produce his wife Anjuka, aged about 21 years, before this Court and set her at liberty.

2. It is the case of the petitioner that he married the detainee on 04.09.2020 and they were living happily. While so, on 13.09.2020, the third respondent kidnapped the detainee and now, she is in his illegal detention. Despite lodging of a complaint, there was no response from the respondent Police and hence, the present habeas corpus petition.



3. Today the detenue appeared before this Court through Video Conferencing. On enquiry, the detenue informed that she is not unlawfully detained by the third respondent as alleged by the petitioner and she wants to live with her parents.

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4. Further, it appears that based on the complaint given by the petitioner, the second respondent conducted an enquiry, in which, the detenue along with her father appeared and gave a statement to the effect that she is now with her parents. A copy of the statement given by the detenue is placed before this Court for perusal.

5. In view of the above facts, no further orders are required in this habeas corpus petition and the same is, therefore, dismissed.

Sd/-

Assistant Registrar (Writs)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

krk / rj2

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

- 1.The Superintendent of Police,
Dindigul District, Dindigul.
- 2.The Inspector of Police.
Vathalagundu Police Station.
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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