



WEB COPY

H.C.P(MD) No.778 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

H.C.P. (MD) No.778 of 2020

Selvaraj

...Petitioner/husband of the detenue

-vs-

The State, represented by

1.The Commissioner of Police,
Trichy City,
Trichy.

2.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.

3.The Inspector of Police,
Srirangam Police Station,
Srirangam,
Trichy District.

4.The Inspector of Police,
Aamathur Police Station,
Aamathur,
Virudhunagar District.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents to produce the persons or bodies of the detainees by names, Kothainayaki, wife of Selvaraj, aged about 35 years old, Sri, son of Selvaraj aged about 12 years old, Divakar, son of Selvaraj, aged about 8 years old and Harshitha, daughter of Selvaraj, aged about 5 years old before this Court and handover their custody to the Petitioner.

For Petitioner : Mr.P.Santhanakrishnan

For Respondents : Mr.K.Dinesh Babu

Additional Public Prosecutor

O R D E R

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

This Habeas Corpus Petition has been filed seeking direction to the respondents to produce the persons or bodies of the detainees by name, Kothainayaki, wife of Selvaraj, aged about 35 years old, Sri, son of Selvaraj, aged about 12 years old, Divakar,



son of Selvaraj, aged about 8 years old and Harshitha, daughter of Selvaraj, aged about 5 years old, before this Court and hand-over their custody to the Petitioner.

2.It is the case of the Petitioner that the detenues are wife and children respectively of the Petitioner and they are found missing from 10.09.2020 and despite a complaint, no action was taken by the respondents Police.

3.When the matter is taken up for hearing today, all the detenues appeared through video-conferencing and the first detinue namely, Kothainayaki, wife of the Petitioner would state that due to physical and mental harassment by the Petitioner, they have left the matrimonial home and they are living separately at Trichy. She also refused to join with the Petitioner.

4.In the light of the above statement made by the first detinue/wife of the Petitioner, no further adjudication is required in this Habeas Corpus Petition and accordingly, the same stands dismissed.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsn

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 Commissioner of Police,
Trichy City,
Trichy.

2.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.



3.The Inspector of Polie,
Srirangam Police Station,
Srirangam,
Trichy District.

4.The Inspector of Police,
Aamathur Police Station,
Aamathur,
Virudhunagar District.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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AC (CO)
KB (16.10.2020) 3P 6C