



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

H.C.P.(MD) No.1011 of 2020

B.Nivi @ Nivetha

... Petitioner

-vs-

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

2.The Inspector of Police,
All Women Police Station,
Theni.

3.The Inspector of Police,
Chinnamanur Police Station,
Chinnamanur,
Theni District.

4.Ravichandran

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 to 3 herein to produce the person or body of the detainee namely, Suba aged about 25 years, wife of Vinoth Krishnan @ Gopalakrishnan before this Court and set her at liberty.

For Petitioner : Mr.Muniyandi for
Mr.R.Mariappan

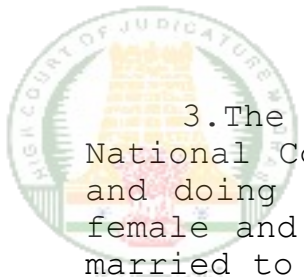
For Respondents : Mr.K.Dinesh Babu
Additional Public Prosecutor (for R1 to R3)

O R D E R

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

Heard Mr.Muniyandi, learned counsel for the petitioner and Mr.K.Dinesh Babu, learned Additional Public Prosecutor appearing for the respondents 1 to 3 and perused the materials available on records.

2.This habeas corpus petition has been filed for a direction to the respondents to produce the petitioner's friend, namely, Suba, aged about 25 years before this Court and set her at liberty.



3.The petitioner would claim that she is a member of the National Committee of the All India Progressive Women Organization and doing altruistic activities for the welfare of women and minor female and infants. It is further stated that the detinue Suba was married to one Vinodh Krishnan @ Gopalakrishnan in the year 2010 and during the lawful wedlock, they were blessed with two children. It is alleged that due to matrimonial dispute between the detinue and her husband, she is now residing with her parents. It is further stated that the fourth respondent, the father of the detinue has illegally detained her own daughter. In this regard, the petitioner lodged a complaint with the second respondent. Since no action has been taken, the present petition has been filed.

4.When the matter is taken up for hearing today, the detinue appeared before this Court along with her father, the fourth respondent herein. On enquiry, she would state that due to dispute between her husband, she is now residing with her parents and they have been insisting the detinue to join with her husband. The fourth respondent had stated that detinue is having two children aged about 10 years and 2 years respectively and his wife has met with an accident and has not detained the detinue illegally as alleged by the petitioner. Further, the detinue also would state that she is ready to live with her parents.

5.In the light of the above statement, no further adjudication is required. Hence, this habeas corpus petition is dismissed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

skn

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,
Theni District,
Theni.

2.The Inspector of Police,
All Women Police Station,
Theni.



3.The Inspector of Police,
Chinnamanur Police Station,
Chinnamanur,
Theni District.

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

H.C.P. (MD) No.1011 of 2020
20.11.2020

VR (CO)

AP (10/12/2020) 3P 5C