



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.06.2021

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH
AND

THE HONOURABLE Mr.JUSTICE R.PONGIAPPAN

H.C.P.No.227 of 2021

P.Pradeep Kumar

.. Petitioner

Vs.

1. The Superintendent of Police
Thiruvallur District
Thiruvallur

2. The Deputy Superintendent of Police
Ponneri
Thiruvallur District

3. The Inspector of Police
All Women Police Station
Ponneri, Thiruvallur District

4. Annathaai

5. Dinesh Singh

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS to direct the 3rd respondent to cause the production of the body and person of the petitioner's wife and minor child viz., Venkateswari @ Divya, aged 33 years and Thaanish, aged 6 years, respectively, before this Hon'ble Court from the illegal custody of the 4th and 5th respondent and set them at liberty.

For Petitioner : Mr.B.Thiyagarajan

For R1 to R3 : Mr.R.Muniyapparaj
Government Advocate(Crl.Side)

O R D E R

[Order of the Court was made by P.N.PRAKASH, J.]

It is the case of the petitioner that, his wife Venkateswari @ Divya is in the illegal custody of R4 and R5 and that police



are not taking effective steps to secure her and his son Thaaniish.

2. On instructions, Ms.Lakshmi, Inspector of Police, AWPS, Ponneri, produced Venkateswari @ Divya and Danish before us today via video conferencing from the police station. The petitioner was also present along with the counsel via video conferencing. When we enquired, Venkateswari @ Divya stated that on account of marital discord, she left the company of her husband and does not want to rejoin him. She further stated that she is living with her parents in No.87/D, Alagapani South Street, Kayalpatinam, Thiruchendur Taluk, Tuticorin 628 204 and her mobile number is 6383478511.

3. Since Venkateswari @ Divya is not in the illegal custody of any person, no writ of habeas corpus can be issued. Hence, this habeas corpus petition is closed, with liberty to the parties to workout their remedies before the appropriate forum.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

gya

To

1. The Superintendent of Police
Thiruvallur District
Thiruvallur
2. The Deputy Superintendent of Police
Ponneri, Thiruvallur District
3. The Inspector of Police
All Women Police Station
Ponneri, Thiruvallur District
4. The Public Prosecutor
High Court, Madras

H.C.P.No.227 of 2021

RLD(CO)
RLP(19/07/2021)