



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2021

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH
and
THE HONOURABLE MS.JUSTICE R.N.MANJULA

H.C.P.No.1284 of 2021

C.Joshua Immanuel
S/o.R.Chandrasekar

... Petitioner

Vs

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

2.The Inspector of Police,
Thirukoilur Police Station,
Kallakuruchi District.

3.E.Mathews Raja Gembeeram
S/o.Ezekial Selvaraj

4.Vinolia Mathews
W/o.E.Mathews

5.R.Sathiyaraj
S/o.Late Rajendran

... Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the first respondent to secure and produce the petitioner's wife, namely, Esther Magthalene Anne, W/o.C.Joshun Immanuel aged about 26 years, from the illegal custody and wrongful confinement in the hands of the respondents 3 to 5 before this court and set her at liberty.

For Petitioner : Mr.R.Narendran

For Respondents: Mr.R.Muniyapparaj
Government Advocate [crl.side]

O R D E R

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

This petition has been filed seeking a direction to the first respondent to secure and produce the petitioner's wife, namely, Esther Magthalene Anne, aged about 26 years, from the illegal custody and wrongful confinement in the hands of the



respondents 3 to 5 before this court and set her at liberty.

2. It is the case of the petitioner that he got married to the detinue Esther Magthalene Anne on 14.06.2021 and thereafter, she is in the illegal custody of respondents 3 to 5. In this regard, he gave a complaint to the police, based on which a case in Thirukoilur P.S.Crime No.774 of 2021 for 'woman missing' has been registered. It is the grievance of the petitioner that the police are not taking effective steps to secure the detinue. Therefore, the present petition has been filed seeking the aforesaid relief.

3. Today, Mr.K.Elumalai, Special Sub-Inspector, is present. Esther Magthalene Anne is also present.

4. When enquired by us, Esther Magthalene Anne stated that she is not in the illegal detention of any person and she is staying in her parental home.

5. In the aforesaid circumstance, we find that Esther Magthalene Anne is not in the illegal detention of anyone warranting issuance of Writ of Habeas Corpus.

Accordingly, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (CS-)

//True Copy//

Sub Assistant Registrar

gm

To

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

2.The Inspector of Police,
Thirukoilur Police Station,
Kallakuruchi District.

3.The Public Prosecutor,
High Court, Madras.

H.C.P.No.1284 of 2021

PL(CO)
GN(14/09/2021)