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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.09.2021

Coram

The Honourable Mr. Justice P.N.PRAKASH
and
The Honourable Ms. Justice R.N.MANJULA

H.C.P.No.1511 of 2021

V.Manivannan ... Petitioner/Husband of the detenue

Vs.

- 1.The Commissioner of Police,
Greater Chennai,
Egmore, Chennai.
- 2.The Inspector of Police,
Law & Order,
T-5, Thiruverkadu Police Station,
Thiruverkadu,
Chennai - 600 077.

3.Latha ... Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus direct the 2nd respondent police to produce the petitioner's wife viz., M.Bragavathi, W/o.V.Manivannan, female, aged about 23 years, before this Court from the illegal custody of the 3rd respondent and set her at liberty.

For Petitioner	: Mr.Loganathan for Mr.M.Palani
For Respondents	: Mr.R.Muniyapparaj Additional Public Prosecutor

ORDER

[Made by P.N.PRAKASH, J.]

This habeas corpus petition has been filed seeking to direct the 2nd respondent/police to produce the petitioner's wife viz., M.Bragavathi, aged about 23 years, before this Court from the illegal custody of the 3rd respondent and set her at liberty.



2. It is the case of the petitioner that he got married to Bragavathi on 23.03.2017 and after marriage, they were living peacefully in their matrimonial home; Bragavathi had one miscarriage and subsequently, she conceived and delivered a female baby on 01.09.2020 in Kilpauk Medical College Hospital and the said baby died four days thereafter; in that condition, his wife has been taken away by his mother-in-law Latha, third respondent herein and that he is not being permitted access to her.

3. In this regard, on a complaint given by the petitioner, a petition enquiry in C.S.R.No.837 of 2021 has been registered by the Inspector of Police, T-5, Thiruverkadu Police Station, Chennai.

4. Today G.Sekar (Mobile No.91769 15199), Sub-Inspector of Police, T-5, Thiruverkadu Police Station, Chennai, is present.

5. On instructions, the learned Additional Public Prosecutor submitted that the enquiry conducted by the police revealed that Bragavathi was taken by her mother to her parental home for the purpose of convalescence and nothing more and Bragavathi is ever-ready to join her husband after her health improves.

Recording the same, this habeas corpus petition stands closed. The Inspector of Police, T-5, Thiruverkadu Police Station, Chennai, shall facilitate the rejoining of Bragavathi with the petitioner, during the third week of October 2021, subject to the health condition of Bragavathi.

Sd/-

Assistant Registrar(co)

//True Copy//

Sub Assistant Registrar

nsd

To

1.The Commissioner of Police,
Greater Chennai,
Egmore, Chennai.

2.The Inspector of Police,
Law & Order, T-5, Thiruverkadu Police Station,
Thiruverkadu, Chennai - 600 077.

3.The Public Prosecutor, (Crl Side)
Madras High Court, Chennai - 600 104.
+1 cc to Mr.M.Palani, Advocate Sr.NO. 50765

H.C.P.No.1511 of 2021

A.SK(11.10.2021)