



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.09.2021

Coram

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

H.C.P.No.2154 of 2018

C.Balamurugan
S/o.K.Chinnathambi

.. Petitioner

Vs.

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

2.The Inspector of Police,
All Women Police Station,
Paramathi Velur,
Namakkal District.

3.C.Nagaraj
S/o.Gopal

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the respondents 1 and 2 to produce the detenu Iswarya, wife of the petitioner, aged about 30 years, who has been under the illegal custody of third respondent herein, before this Court and set her at liberty.

For Petitioner : Mr.T.Shanmugam

For Respondents : Mr.R.Muniyapparaj

Government Advocate [cr1.side]

[R1 & R2]



ORDER

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

This petition has been filed seeking a direction to the respondents 1 and 2 to produce the detenu Iswarya, wife of the petitioner, aged about 30 years, who has been under the illegal custody of third respondent herein, before this Court and set her at liberty.

2. It is the case of the petitioner that he got married to Iswarya on 25.02.2018 and that she has been in the illegal detention of Nagaraj (third respondent herein). On these allegations, the present petition has been filed.

3. It appears that on 23.10.2018, Iswarya appeared before this Court and stated that she is not willing to join the petitioner. Since Iswarya is not in the illegal custody of third respondent, as alleged by the petitioner, there is no necessity to issue a Writ of Habeas of Corpus.

Accordingly, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (CS-VIII)

// True Copy //

Sub Assistant Registrar

gm

To

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

2.The Inspector of Police,
All Women Police Station,
Paramathi Velur,
Namakkal District.

3.The Public Prosecutor,
High Court, Madras.

H.C.P.No.2154 of 2018

SR II(CO)

B.VC (27/09/2021)