



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

and

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

H.C.P. (MD) No.484 of 2021

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Samsulgutha

... Petitioner/Husband and
Father of the detainees

Vs.

1.The State represented by
The Superintendent of Police,
District Superintendent of Police Office,
Thanjavur,
Thanjavur District.

2.The Deputy Superintendent of Police,
Deputy Superintendent of Police Office,
Kumbakonam,
Thanjavur District.

3.The Inspector of Police,
Kumbakonam Taluk Police Station,
Thanjavur District.

4.Sriram

... 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 to produce the body or person of the petitioner's wife namely, Shamira W/o.Samsulgutha, aged about 26 years old and petitioner's daughter namely, Sahana Fathima, aged about 6 years old and petitioner's son namely, Abdul Fazith, aged about 2 1/2 years old before this Court and set them at liberty.

For Petitioner : Mr.R.Karunanidhi

For Respondents 1 to 3 : Mr.S.Ravi
Standing Counsel for Government

O R D E R

[Order of the Court was made by V.BHARATHIDASAN, J.]

The prayer in the Habeas Corpus Petition is to direct the respondents 1 to 3 to produce the petitioner's wife by name, Shamira W/o.Samsulgutha, aged about 26 years, petitioner's daughter by name, Sahana Fathima, aged about 6 years and petitioner's son by name, Abdul Fazith, aged about 2 1/2 years before this Court and set them at liberty.



2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The petitioner is the husband and father of the detenues. It is alleged that the detenues are found missing from 15.02.2021.

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4.When the matter is taken up for hearing today, the petitioner as well as the detenues appeared before this Court. On enquiry, the petitioner's wife, namely, Shamira, would state that due to some family dispute on her own volition, she left the matrimonial home along with her children and now she is willing to go with her husband.

5.In the light of the above statement, we are of the opinion that no further adjudication is required in this Habeas Corpus Petition and accordingly, the same stands closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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,
District Superintendent of Police Office,
Thanjavur,Thanjavur District.
- 2.The Deputy Superintendent of Police,
Deputy Superintendent of Police Office,
Kumbakonam,Thanjavur District.
- 3.The Inspector of Police,
Kumbakonam Taluk Police Station,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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