



WEB COPY

H.C.P.(MD) No.517 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

and

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

H.C.P.(MD) No.517 of 2021

Nagaraj

... Petitioner

vs.

1. The Superintendent of Police,
O/o. The Superintendent of Police,
Thenkasi District.

2. The Inspector of Police,
Sivagiri Police Station,
Sivagiri,
Thenkasi District.

3. Gurusamy

... Respondents

PRAYER : Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the body or person of the petitioner's wife and two child namely Sakkammal aged about 30 years old, wife of Nagaraj, Muthupriya aged about 12 years old, daughter of Nagaraj and Sathiyapriya aged about 6 years old, daughter of Nagaraj, who have been missing from 10.12.2019 and set them at liberty

For Petitioner : Mr.P. Ponraj

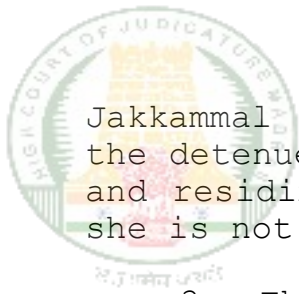
For Respondents : Mr.S. Ravi
(R1 & R2) Standing Counsel for State

O R D E R

(Order of the Court was made by V.BHARATHIDASAN, J.)

Alleging that the petitioner's wife, by name, Jakkammal, aged about 30 years and his two minor children Muthupriya and Sathiyapria found missing from 10.12.2019 and even though the complaint has been given before the second respondent police, no action has been taken. Hence, the present Habeas Corpus Petition has been filed.

<https://hcservices.courts.gov.in/hcservices/> the 2nd respondent police produced the deteneue



Jakkammal and her minor children before this Court and on enquiry, the detinue submitted that on her own she left the matrimonial house and residing at Karnataka State and now she came to Tamil Nadu and she is not willing to go with the petitioner.

3. The learned Standing Counsel for the respondent Police submitted that the detinue left the matrimonial house on her own and she is not illegally detained by anybody.

4. Considering the above submissions that the detenuess not illegally detained by anybody, and she is not willing to go with the petitioner, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Mpk

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,
O/o. The Superintendent of Police,
Thenkasi District.
2. The Inspector of Police,
Sivagiri Police Station,
Sivagiri, Thenkasi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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RD(15.09.2021) 2P 4C