



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MR.JUSTICE G.ILANGOVAN

H.C.P. (MD) No.739 of 2020

Selvaraj

... Petitioner

-vs-

1.The State by the Superintendent of Police
Trichy District, Trichy

2.The State by the Inspector of Police
Valanadu Police Station
Trichy District

3.Pandian

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the 1st and 2nd respondents herein to produce the body or persons of petitioner wife namely "Ambika" aged about 28 years and petitioner younger daughter namely Rejina aged about 3 years and rescue from the 3rd respondent and produced before this Court and to set their at liberty.

For Petitioner : Mr.R.Manickam

For Respondents : Mr.R.Anandharaj
Additional Public Prosecutor for R1 & R2

O R D E R

[Order of the Court was made by K.KALYANASUNDARAM, J.]

The petitioner has filed this habeas corpus petition seeking direction to the respondents 1 and 2 to rescue his wife, namely, Ambika, aged about 28 years and younger daughter, namely, Rejina, aged about 3 years, from the custody of the third respondent; produce them before this Court and set them at liberty.

2. When the matter is taken up for hearing, the learned Additional Public Prosecutor would state that earlier the first detainee Ambika eloped with the third respondent on 19.06.2020, for which a complaint was given before Viralimalai Police Station and she was secured by the Police and handed over to the petitioner on 22.06.2020 and for the second time, the first detainee eloped with the third respondent on 04.08.2020, for which also a complaint was given to the second respondent Police on 05.08.2020. The learned Additional Public Prosecutor would further state that both detainees



appeared before Thuvankurichi Police Station on 23.12.2020 and since the first detainee wanted to go with her parents, she was handed over with her parents and the second detainee Rejina was handed over with the petitioner herein.

3. In view of the above submissions of the learned Additional Public Prosecutor, we are of the opinion that the relief sought for in this habeas corpus petition has become infructuous and the same is therefore dismissed as infructuous.

Sd/-

Assistant Registrar (Crl.Side)

// 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 State by the Superintendent of Police,
Trichy District, Trichy.
- 2.The State by the Inspector of Police,
Valanadu Police Station,
Trichy District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD) No.739 of 2020

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