



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

and

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

H.C.P. (MD) No.1715 of 2021

WEB COPY

S.Gokulramprabhu

... Petitioner / Husband of
Detenue

-vs-

1.The Superintendent of Police
Theni District, Theni

2.The Inspector of Police
Odaipatti Police Station
Theni District

3.Selvaraj

4.Shanthi

5.Jeyavenkatesh

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 and 2 to secure and produce the bodies or persons of the petitioner's wife namely Selvakamali, wife of Gokulramprabhu, aged about 24 years and the petitioner's daughter Minor G.Dwaraka, daughter of Gokulramprabhu, aged about 1 year and 3 months, the detenues herein, before this Court and set them at liberty, who may be in the illegal custody and detention of the respondents 3 to 5 or somebody else at their behest.

For Petitioner : Mr.Murugan.R.

For Respondents : Mr.S.Ravi

Additional Public Prosecutor
for R1 & R2

O R D E R

S.VAIDYANATHAN, J.

and

DR.G.JAYACHANDRAN, J.

The petitioner, who is the husband alleging that his wife was abducted by her parents from his lawful custody along with his child on 02.11.2021, has filed this habeas corpus petition stating that the representation to the respondents 1 and 2 on 07.11.2021 about the abduction of his wife and the child is not acted upon.



2. Today, the respondents 1 and 2 have secured the wife and child of the petitioner and they are present before this Court. The petitioner is also present before this Court.

3. On enquiring the petitioner's wife, she states that nobody has abducted her. The petitioner herein tortured and forced her to commit suicide. To save her life, she called her parents and went along her parents and peacefully living with her parents and she has no inclination to join the petitioner, who has put her to untold suffering mental stress.

4. Recording the same, being satisfied that the wife of the petitioner has not been abducted by any person on force and she is on her own left the matrimonial home and taken care of by her parents, this Court finds no merit to entertain this habeas corpus petition.

5. Accordingly, the habeas corpus petition is dismissed.

Sd/-

Assistant Registrar (CS III)

// 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,
Theni District, Theni.

2.The Inspector of Police,
Odaipatti Police Station, Theni District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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