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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2022

Coram

The Honourable Mr. Justice P.N.PRAKASH  
and  
The Honourable Mr. Justice A.A.NAKKIRAN

H.C.P.No.377 of 2022

D.V.Sasikumar

.. Petitioner

Vs.

1.The Deputy Commissioner of Police,  
Adayar,  
Chennai.

2.The Inspector of Police,  
Adayar J-2,  
All Women Police Station,  
Chennai.

3.P.Ravichandran

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the 2<sup>nd</sup> respondent to produce the petitioner's wife and daughter viz., R.Sneha, aged about 28 years and minor S.Samritha, aged 3 years, before this Court from the illegal custody of the 3<sup>rd</sup> respondent and set them at liberty.

For Petitioner : Mr.T.Saikrishnan

For RR 1 and 2 : Mr.R.Muniyapparaj,  
Addl. Public Prosecutor

ORDER

[Made by P.N.PRAKASH, J.]

This habeas corpus petition has been filed seeking a direction to the 2<sup>nd</sup> respondent to produce the petitioner's wife viz., R.Sneha, aged about 28 years and daughter S.Samritha, aged about 3 years, before this Court from the illegal custody of the 3<sup>rd</sup> respondent and set them at liberty.



2. It is the case of the petitioner that he got married to Sneha on 18.03.2016 and through the wedlock, he has a child Samritha, who is now aged about 3 years; he is employed in the U.S.; on account of some marital discord, he got estranged from his wife and after some mediation talks, he joined with his wife sometime in November 2020. It is the further case of the petitioner that he once again had some misunderstanding with his wife, on account of which, his wife went to her natal home and thereafter, her whereabouts are not known.

3. Today Revathy (Mobile No.9498129929), Sub-Inspector of Police, W-19, All Women Police Station, Adyar, is present.

4. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a petition enquiry in Adyar All Women Police Station C.S.R.No.13/2022 was conducted, in which, Sneha appeared before the police station and gave a statement stating that she is not in the illegal custody of her father and she is taking steps for filing applications under the Guardians and Wards Act, 1890 and Protection of Women from Domestic Violence Act, 2005.

5. On a conspectus of the facts obtaining in this case, we find that Sneha is not in the illegal custody of her father for the issuance of a writ of habeas corpus.

Therefore, this habeas corpus petition stands closed with liberty to the petitioner to work out his remedy in the manner known to law.

Sd/-  
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

nsd

To

1.The Deputy Commissioner of Police,  
Adayar,  
Chennai.

2.The Inspector of Police,  
Adayar J-2,  
All Women Police Station,  
Chennai.



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