



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:31.07.2013

CORAM:

THE HONOURABLE MR.JUSTICE.S.RAJESWARAN
AND
THE HONOURABLE MR.JUSTICE.T.MATHIVANAN

H.C.P. (MD) No.839 of 2013

S.Shahul Hameed

: Petitioner

Vs

1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.The Inspector of Police,
Ayakudi Police Station,
Tirunelveli District.

3.R.S.Ramasundaram

4.S.Sudalai Mudaliar

5.S.Sivanu Andi @ Siva

: Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, to direct the respondents to produce the body of the petitioner's wife, detainee, namely, Thangameenakshi @ Ayisha (aged 30 years) before this Court and set her at liberty.

For Petitioner : Mr.J.Ashok

For R.1 & 2 : Mr.K.S.Duraipandian, APP

For R.3 to 5 : No appearance

ORDER

[Order of the Court was made by **S.RAJESWARAN, J.**]

This Habeas Corpus Petition has been filed by the petitioner to trace out his wife, Thangameenakshi @ Ayisha, aged 30 years, said to be in the illegal custody of the respondents 4 and 5, from June, 2013 onwards. The complaint made to the respondent police did not evoke any response. Hence, the above Habeas Corpus Petition has been filed for the above-said prayer.

2. Learned Additional Public Prosecutor, on instructions, would submit that the petitioner appeared before the Inspector of Police, Thirunagar, on the complaint given by the alleged wife, the detainee herein and stated that if the detainee had wanted to go along with the parents, he demanded a sum of Rs.1,00,000/- given by him and only then, the Certificates of the detainee would be given. He further assured that



he would not create any problem in future to the family of the detenue. He had further stated that he would sever all his connections and relationship with her and he requested the respondent police not to take any action on his complaint. That signed statement was given by the petitioner on 11.02.2012.

WEB COPY 3. If that be so, the case of the petitioner in this Petition before this Court stating that the detenue is found missing and she has to be traced and brought before this Court is wholly unnecessary and unwarranted. If at all, the petitioner claims to have got any right over the detenue, it is open to him to invoke the appropriate remedy before the appropriate court.

In the result, nothing remains to be considered in this Habeas Corpus Petition and the same is closed.

ssm

/True Copy/

Sd/-

Assistant Registrar (Admn.,)

Sub Assistant Registrar

To

1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.The Inspector of Police,
Ayakudi Police Station,
Tirunelveli District.

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

+1 cc to M/s.J.Ashok, Advocate SR.No.38746

H.C.P. (MD) No.839 of 2013

Dated:31.07.2013

2P/5C

RPB 26.08.2013