

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 20.05.2015

CORAM

THE HONOURABLE MR . JUSTICE M.DURAI SWAMY
AND
THE HONOURABLE MR. JUSTICE R.MAHADEVAN

HCP.No.1127 of 2015

A.Jayaselman

... Petitioner/Husband of the
Detenu

vs.

1. C.Sathyamurthy

2. The Inspector of Police,
C-2 Periyapalayam Police Station,
Thiruvallur District.

... Respondents

Prayer:- Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for a writ of Habeas Corpus directing the 2nd respondent police herein to produce the person of the detainee Yagalakshmi Female aged 24 years D/o Sathyamurthy from the illegal detention of 1st respondent before this Honble court on a date to be prescribed for the same and set her at liberty.

For Petitioner : Mr.K.Karthick Jothi

For Respondents : Mr.M.Maharaja,
Addl. Public Prosecutor

ORDER

[Order of the Court was made by M.DURAI SWAMY J.,]

The petitioner, who is the husband of the detainee, viz., Yagalakshmi, has filed the above petition seeking for the custody of the detainee from her father viz., C.Sathyamurthy, the 1st respondent herein.

2. On notice to the respondents, the 2nd respondent, the Inspector of Police, has produced the detainee before this court today. The 1st respondent, who is the father of the detainee, is also present.

3. We enquired the detainee and on enquiry, she revealed that she married the petitioner viz., A.Jayaselvan on 24.4.2012 and also got the marriage registered in the office of the Sub Registrar, Royapuram on 24.4.2012. In spite of their marriage on 24.4.2012, the detainee was living with her father, the 1st respondent herein. Further, the detainee stated that she wants to go with the petitioner/her husband and live with him. We also enquired the 1st respondent/her father and he has no objection for sending her daughter along with the petitioner.

4. Since the detainee is a major born on 17.12.1992, we set the detainee at liberty.

5. In view of the same, the Habeas Corpus Petition is disposed of.

Sd/-

Assistant Registrar(ADM II)/
Vacation Officer

//True Copy//

Sub Assistant Registrar

Rj/Ga

To

1. The Inspector of Police,
C-2 Periyapalayam Police Station,
Thiruvallur District.

2. The Public Prosecutor
High Court, Madras.

HCP.No.1127 of 2015

SR(CO)
CA(28/05/2015)

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