

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.03.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.JAICHANDREN
AND

THE HONOURABLE MRS.JUSTICE ARUNA JAGADEESAN

H.C.P.No.130 of 2015

G.Chandrakumar

...Petitioner

Vs

1.State rep. By the Inspector of police,
South All Women Police Station,
Tiruppur.

2.State, rep. By Inspector of Police,
Kinathukadavu Police Station,
Kinathukadavu,
Pollachi taluk.

3.Balasubramaniam

...Respondents

Prayer:- This Habeas Corpus Petition is filed under Article 226 of the Constitution of India to direct the 1st respondent to produce the detainee, Sri Sivathmika and set her at liberty.

For Petitioner : Mr.J.Franklin

For Respondents : Mr.C.Emalias,
Additional Public Prosecutor
for R1 and R2
Mr.M.N.Balakrishnan for R3

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O R D E R

The petitioner, who is the alleged husband of the detenu has stated that he had love affair with the detainee, Sri Sivathmika, and got married in Chenniandavar Vinayagar Temple at Thekkalur, Avinashi, in the presense of his parents and close friends. However, the parents of the detainee did not agree for the marriage and took her with them stating that her grandmother was in serious

condition. Thereafter, they did not send her back, which necessitated the petitioner to file a complaint before the Superintendent of Police, Tiruppur, on 02.01.2015. Since no effective steps were taken, he has come forward with this Habeas corpus Petition.

2. The detainee, Sri Sivathmika, was produced by the 2nd respondent police and when we enquired her, she had denied the marriage with the petitioner and she had stated that she is now staying with her parents and she is not willing to go with the petitioner.

3. Since the detainee is a major and she is not willing to go with the petitioner, we permit the detainee to go as per her wish. Hence, the Habeas Corpus Petition stands closed. However, it goes without saying that it is open to the petitioner to agitate his rights, if any, before the appropriate forum, in the manner known to law.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vsi

To

1.The Inspector of Police,
South All Women Police Station,
Tiruppur.

2.The Inspector of Police,
Kinathukadavu Police Station,
Kinathukadavu,
Pollachi Taluk.

3.The Public Prosecutor,
High Court, Chennai.

1 CC to Mr.J.Franklin, Advocate SR.No. 16265

1 CC to Mr.M.N.Balakrishnan, Advocate SR.No. 16243

HCP.No.130 of 2015

SSI (CO)

PSI (07.04.2015)