

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.07.2015

CORAM

THE HONOURABLE DR.JUSTICE S.TAMILVANAN
AND
THE HONOURABLE MR.JUSTICE C.T.SELVAM

H.C.P. No.1475 of 2015

G.Balepandiyan

... Petitioner

-vs-

1. The Superintendent of Police
Coimbatore District.

2. State Rep. by
The Sub Inspector of Police,
Kinuthukadavu Police Station,
Coimbatore District.

3. S.Devaraj

... Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Habeas Corpus directing the second respondents to produce the detainee namely Preethi, aged about 20 years bodily before this Court and restore her to the custody to the petitioner.

For Petitioner : Mr.T.Meganathan

For Respondents : Mr.A.N.Thambidurai
Additional Public Prosecutor for R1&R2

सत्यमेव जयते

O R D E R

(Order of the Court made by S.TAMILVANAN,J.)

Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor for respondents 1 and 2 and the learned counsel for the third respondent.

2.The alleged detainee Preethi, aged about 20 years is secured and produced before this Court. The third respondent, father of the alleged detainee is also present before us.

3.On enquiry, she stated us that she is willing to go along with her father and she says that the petitioner is her friend and there is no illegal detention by anybody.

4.Learned counsel for the petitioner submitted that the documents would show the marriage held between the petitioner herein and the alleged detainee. However, we do not go into detail in the alleged marriage. If there is any legal rights available to the petitioner, it is open to the petitioner to seek appropriate remedy before the appropriate Forum.

5.As there is no illegal detention by the third respondent, we are of the view that this Habeas Corpus Petition itself is not legally sustainable.

6.With the above observation, the Habeas Corpus Petition is dismissed.

Sd/-
Assistant Registrar(CS II)

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Sub Assistant Registrar

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To

1. The Superintendent of Police
Coimbatore District.
2. The Sub Inspector of Police,
Kinuthukadavu Police Station,
Coimbatore District.
3. The Public Prosecutor,
Madras High Court,
Chennai.

+1cc to M/s.T.Meganathan, Advocate, S.R.No.34560
+1cc to M/s.P.Muthu Krishnan, Advocate, S.R.No.34893

H.C.P. No.1475 of 2015

KGK(CO)
CA(16/07/2015)