

In the High Court of Judicature at Madras

Dated: 27.01.2016

Coram

The Honourable **Mr.JUSTICE R.SUDHAKAR**
and
The Honourable **Mr.JUSTICE P.N.PRAKASH**

Habeas Corpus Petition No.2878 of 2015

S.Saleem

.... Petitioner

Vs.

1. R.R.Laksmanan @ Ellan
2. The State rep. by the Inspector of Police,
Chithamur Police Station,
Chithamur, Kancheepuram District.
3. The Inspector General of Registration,
No.100, Santhome High Road,
Chennai - 28.
4. The Deputy Inspector General of Registration,
Chennai Zone, No.28, Rajaji Salai,
Chennai - 1.
5. The Principal Secretary to Government,
Commercial Taxes and Registration
Department, Fort St. George,
Chennai - 600 009.

.... Respondents

PETITION under Section 226 of The Constitution of India praying for the issuance of Writ of Habeas Corpus pertaining to the detenue Mrs.Archana, daughter of R.Laksmanan @ Ellan, who is detained under illegal and wrongful House custody of the 1st respondent herein to

direct the respondents herein to produce the body of the detenue Mrs.Archana, daughter of R.R.Laksmanan @ Ellan, aged about 20 years and set her at liberty.

For Petitioner : Ms.E.Thamizhannai

For Respondents: Mr.M.Maharaja
Additional Public Prosecutor

ORDER

(Order of the Court was made by P.N.PRAKASH,J.)

This Habeas Corpus Petition is filed by the husband of the detenue seeking direction to the respondents to produce the detenue, Archana, before this Court and set her at liberty.

2. It is the case of the petitioner that he was in love with the detenue and married her on 17.08.2015 and the same was duly registered at District Registrar Office, Chennai North vide Registration No.3195 of 2015. The allegation of the petitioner is that since the first respondent, father of the detenue threatened them with dire consequences, the petitioner gave a police complaint before the second respondent seeking protection from the harassment of the first respondent, but the second respondent did not take any efficacious steps to save them. In the meantime the detenue was detained

unlawfully by the first respondent. Hence, the petitioner again lodged a complaint with the second respondent police to trace the detainee. Eventhough, the second respondent has received the complaint, he has not taken any action to trace the detainee. Hence, the present Habeas Corpus Petition has been filed.

3. Since there are lots of inconsistencies and discrepancies in the documents filed in support of the marriage, we are not inclined to issue a Writ of Habeas Corpus as prayed for by the petitioner, as we are not convinced of the marriage certificate that has been produced by the petitioner in the light of the judgment of a Division Bench of this Court in the decision reported in **2014 (6) CTC 129 (S.Balakrishnan Pandiyan V. The Superintendent of Police)**.

4. Accordingly, this Habeas Corpus Petition stands dismissed. However, we have passed a separate order today to tackle the menace arising out of fake marriage registrations in the Office of the Sub-Registrar, Royapuram and Joint Sub-Registrar - I, North Madras.

Internet:Yes/No
sl

(R.S.,J) (P.N.P.,J)
27.01.2016

R.SUDHAKAR,J.
AND
P.N.PRAKASH,J.

sl

To

1. The Inspector of Police,
Kadampuliyur Police Station,
Panruti Taluk, Cuddalore District.
2. The Inspector of Police,
All Women Police Station,
Panruti, Panruti Taluk, Cuddalore District.
3. The Superintendent of Police,
Cuddalore, Cuddalore District.
4. The Inspector General of Registration,
No.100, Santhome High Road, Chennai - 28.
5. The Deputy Inspector General of Registration,
Chennai Zone, No.28, Rajaji Salai, Chennai - 1.
6. The Principal Secretary to Government,
Commercial Taxes and Registration
Department, Fort St. George, Chennai - 600 009.
7. The Public Prosecutor, High Court, Madras.

H.C.P.No.2878 of 2015

27.01.2016