

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 6.3.2015

CORAM:

THE HON'BLE MR.JUSTICE M.JAICHANDREN
AND
THE HON'BLE MRS.JUSTICE ARUNA JAGADEESAN

H.C.P. No.646 of 2015

C.Surya

.. Petitioner

vs.

1.The Superintendent of Police,
Thiruvallur Dist.

2.The Inspector of Police,
B6, Mappedu Police Station,
Thiruvallur Dist.

3.The Inspector of Police,
D6 Pothadarpet Police Station,
Thiruvallur Dist.

4.N.Manohar

.. Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India directing the 1to3 respondents herein to rescue the petitioner wife Varalakshmi, D/o. Manohar, aged about 22 years from the illegal custody of the 4th respondents and produce her before this court and set her liberty forthwith.

For petitioner : Mr.S.Jaganraj
For respondents : Mr.A.N.Thambidurai, APP
1 to 3

O R D E R

This Habeas Corpus Petition has been filed seeking to direct respondents 1 to 3 to rescue the petitioner's wife, by name, Varalakshmi, daughter of Manohar, aged about 22 years, from the illegal custody of the 4th respondent and produce her before this Court and to set her at liberty.

2. According to the petitioner, himself and the detainee, Varalakshmi, were studying in Sri Ram College of Arts and Science, Veppampattu, Chennai, and they fell in love. After completing their studies, they planned to get married, which was opposed by the detainee's parents, as they belong to different communities. Ultimately, the detainee left her parental home and their marriage

took place on 1.12.2014 in the presence of the parents and relatives of the petitioner. Subsequently, the marriage was registered on 16.12.2014 in the Office of the Sub-Registrar, Sunguvarchatram, Kancheepuram District. Thereafter, the detainee visited her mother on 20.1.2015 who was admitted in CMC Hospital, Vellore. On the next day, the petitioner himself dropped the detainee at the hospital to take care of her mother. After two days, when the petitioner went to the hospital, the detainee was not there, instead he was threatened with dire consequences. Therefore, he filed a complaint before the respondent-Police on 18.2.2015. As there was no progress in the matter, the present petition has been filed.

3. Today, the detainee was produced before the Court by the 2nd respondent-Police. On being enquired, the detainee had stated that the marriage between herself and the petitioner was conducted in a deceitful manner. Though the marriage was registered and a Marriage Registration Certificate was issued, she denied the marriage and had stated that it took place against her will. She has also stated that she is not willing to go along with the petitioner. She has also expressed her willingness to go along with her parents, who are present before the Court.

4. In such circumstances, the detainee, being major, is permitted to go as per her wish. It is needless to say that the petitioner may work out his remedies, if any, before the appropriate forum, in the manner known to law. With the above observations, the Habeas Corpus Petition stands closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

gs.

To

- 1.The Superintendent of Police, Thiruvallur Dist.
- 2.The Inspector of Police, B6, Mappedu Police Station, Thiruvallur Dist.
- 3.The Inspector of Police, D6 Pothadarpet Police Station, Thiruvallur Dist.
- 4.The Public Prosecutor, High Court, Madras.

+ 1 cc to Mr.S. Jaganraj, Advocate Sr.12968

HCP No.646 of 2015

RSY(CO)

Eu 18.03.2015