

In the High Court of Judicature at Madras

Dated: 26.3.2015

Coram:

The Hon'ble Mr. Justice M. Jaichandren
and
The Hon'ble Ms. Justice K.B.K. Vasuki

H.C.P. No. 773 of 2015

M. Prakash .. Petitioner

vs.

1. The Inspector of Police,
E-3 Police Station,
Minjur, Thiruvallur Dist.

2. Nagendiran .. Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India praying to direct the 1st Respondent to produce the detainee Mrs. N. Tinky Kumari, the Wife of the Petitioner, who is under the illegal detention of the 2nd Respondent before this Court and to set her at liberty.

For petitioner : M/s. Meera Gnanasekar
For respondent-1 : Mr. A. N. Thambidurai, APP

ORDER

This Habeas Corpus Petition has been filed by the petitioner-husband seeking to direct the 1st respondent to produce the detainee-wife, by name N. Tinky Kumari, who is under the illegal detention of the 2nd respondent, and to produce her before this Court and to set her at liberty.

2. Though the matter has not been listed today, at the instance of the learned Additional Public Prosecutor, the matter has been taken up for hearing. Today, the detainee was produced before the Court by the 1st respondent-Police. The 2nd respondent, the father of the detainee, was also present before the Court. On being enquired, the detainee had stated that she was forcibly taken by the petitioner and his friends to the Registrar's Office where she was forced to sign the papers relating to the registration of the marriage; thereafter, she somehow got herself freed from the clutches of the petitioner and has been presently staying with her maternal aunt, with the consent of her father, the 2nd respondent herein. The detainee has also expressed her willingness to go along with her father, the 2nd respondent herein. The 2nd respondent-father of the

detenu would submit that he would take the detenue to their native place in Bihar for safety purpose.

3. In these circumstances, we permit the detenue to go along with her father, the 2nd respondent herein. Either the detenue or the 2nd respondent is at liberty to give complaint to the Police, based on which, the Police concerned shall take appropriate action in accordance with law and also shall provide necessary protection, as and when found to be required.

4. With the above observations, the Habeas Corpus Petition stands closed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

- 1.The Inspector of Police,
E-3 Police Station,
Minjur, Thiruvallur Dist.
- 2.The Public Prosecutor, High Court, Madras.

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HCP No.773 of 2015

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