



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.12.2015**

CORAM:

THE HONOURABLE MR.JUSTICE **P.R.SHIVAKUMAR**

and

THE HONOURABLE MR.JUSTICE **V.S.RAVI**

H.C.P(MD)No.1658 of 2015

S.Karthick

... Petitioner

Vs.

1.The Commissioner of Police,
Trichy City, Trichy.

2.The Inspector of Police,
All Women Police Station,
Srirangam, Trichy District.

3.R.Balasubramanian

4.Karpagam

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, to direct the respondents 1 and 2 particularly, the second respondent to produce the person or body of the petitioner's wife Yegna Prabha, D/o.R.Balasubramanian, aged about 21 years, residing at No.33/6, Singar Kovil Street, Srirangam, Trichy 6, before this Court and set her at liberty forthwith.

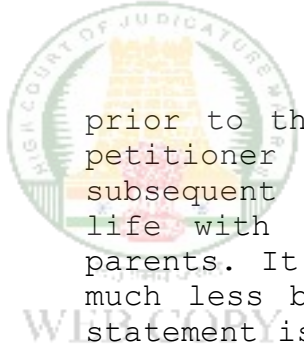
For petitioner	: Mr.P.Sivachandran
For respondent Nos.1&2	: Mr.R.Ramachandran
	Additional Public Prosecutor
For Respondent Nos.3&4	: Mr.D.S.Haroon Rasheed

O R D E R

[Order of the Court was made by **P.R.SHIVAKUMAR, J.]**

S.Karthick, the petitioner herein, has filed this Habeas Corpus Petition for the issue of a Writ of Habeas Corpus for the production of Yegna Prabha, aged about 21 years, claiming that she is his wife and she has been detained illegally by her parents, namely the respondent Nos.3 and 4.

2. The respondent Nos.3 and 4, along with Yegna Prabha, are present. The petitioner - S.Karthick, along with his parents, is also present. On enquiry, Yegna Prabha states that she and the petitioner developed a love affair only for two months and thereafter, she informed him that they would part with each other. It is her further statement that within a few days thereafter, the petitioner called her over phone and asked her to come and meet him and also threw a threat that in the event of her failure, he would commit suicide and thereby tarnish her image. It is her further statement that out of fear, she went to meet him, whereupon the petitioner took her to the office of the Sub-Registrar and made her sign as if they underwent for a customary marriage and the marriage was being registered. It is her stand that no marriage took place and the registration was made falsely as if the marriage took place



prior to the registration. She also trades wild allegations against the petitioner and his parents. She further states that because of the subsequent conduct, she understood that she could not lead a peaceful life with the petitioner, which made her to leave him and join her parents. It is her assertion that she is not kept in custody by any one, much less by her parents, namely, the respondent Nos.3 and 4. The said statement is recorded.

3. In view of the said statement, we have no other option than to close the Habeas Corpus Petition holding that Yegna Prabha is not proved to be in the custody, much less illegal custody of anyone including the respondent Nos.3 and 4. Accordingly, the Habeas Corpus Petition is closed. The petitioner, if so advised, may approach the appropriate forum for any matrimonial relief, he may be entitled to.

Sd/-

Assistant Registrar(Writ)

/True copy/

Sub Assistant Registrar

To:

1.The Commissioner of Police, Trichy City, Trichy.

2.The Inspector of Police, All Women Police Station,
Srirangam, Trichy District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+one cc to M/s.D.S.HAROON RASHEED, Advocate in SR.NO.71163

+one cc to M/s.P.Sivachandran, Advocate in SR.No.71205

NB

CSL/PM-MP/29.12.2015/2P/6C

ORDER MADE IN
H.C.P (MD) No.1658 of 2015
11.12.2015