

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.2561 of 2015

R.Ramkumar

.. Petitioner

Vs.

1. State by
Inspector of Police,
Selaiyur Police Station, Chennai.
2. Ravi
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.

(R3 & R4 are Impleaded Suo Motu
as per the Order Dated 26.11.2015
made in HCP.NO.2561/15)
(R6 is Impleaded Suo Motu as per the Order
Dated 21.12.2015 made in HCP.2561/15)

.. Respondents

PETITION under Article 226 of the Constitution of India
praying for the issuance of a Writ of Habeas Corpus directing
the first respondent herein to produce the body of the detenu
by name "Sasirekha, wife of R.Ramkumar, aged about 23 years and
produce her before this Court.

For Petitioner : Mr.C.V.Pagalavan

For Respondents : Mr.M.Maharaja
Additional Public Prosecutor

O R D E R

(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, Sasirekha, 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 04.06.2015 before Sub-Registrar Chennai North, vide Registration No.2018 of 2015. The allegation of the petitioner is that on 22.08.2015, while the detenue went to the shop to purchase provision, the second respondent, father of the detenue kidnapped her and kept in his custody. When the petitioner enquired with his father-in-law, he threatened the petitioner with dire consequences. Subsequent to that, the petitioner made a call to the detenue. Since the detenue did not respond, the petitioner preferred a complaint before the first respondent to secure the detenue from the second respondent. As the first respondent did not initiate any action to secure the detenue, 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.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The Inspector of Police,
Selaiyur Police Station, Chennai.
2. The Inspector General of Registration,
No.100, Santhome High Road, Chennai - 28.

3. The Deputy Inspector of Registration,
Chennai Zone, No.28, Rajaji Salai, Chennai - 1.
4. The Principal Secretary to Government,
Commercial Taxes and Registration
Department, Fort St. George, Chennai - 600 009.
5. The Public Prosecutor, High Court, Madras.

KR/5/2/16

H.C.P.No.2561 of 2015



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