

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2016

CORAM

THE HON'BLE MR.JUSTICE S.NAGAMUTHU
and
THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

H.C.P.No.1110/2016

V.Vinitha .. Petitioner

Vs

1. State rep. by the Superintendent of
Police, Cuddalore District.

2. The Inspector of Police,
All Women Police Station,
Virudhachalam,
Cuddalore District.

3. Veerappan .. Respondents

Prayer: Petition filed under Article 226 of the
Constitution of India, praying to issue a WRIT OF HABEAS CORPUS
directing the respondents 1 and 2 to produce the detenu by name
V.Santhosh Kumar, aged about 23 years, before this Court and set
him at liberty.

For Petitioner	:	Mr.M.Ramesh
For Respondents	:	Mr.V.M.R.Rajentren
1 and 2		Additional Public Prosecutor

ORDER

[Order of the Court was made by S.NAGAMUTHU,J]

The petitioner claims to be the wife of one V.Santhosh Kumar, son of Veerappan, the 3rd respondent herein. According to the petitioner, she has fallen in love with V.Santhosh Kumar and married him on 11.04.2016. She further alleged that the 3rd respondent, the father of the detenu is detaining him illegally. With these allegations, she has come up with this petition.

2. We have heard the learned Counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 and 2 and we have not ordered notice for the 3rd respondent.

3. A perusal of the affidavit of the petitioner would go to show that she claims to be the wife of V.Santhosh Kumar. But, no document whatsoever has been produced before this Court to prove the same. From the allegations made in the affidavit, it is crystal clear that after all the detenu is with his father. If there is any matrimonial dispute between the petitioner and V.Santhosh Kumar, the remedy for her lies before a competent civil court for which the Habeas Corpus jurisdiction cannot be invoked.

4. In the result, the Habeas Corpus Petition stands dismissed.

-s/d-

Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

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To

1. The Superintendent of Police,
Cuddalore District.

2. The Inspector of Police,
All Women Police Station,
Virudhachalam,
Cuddalore District.

3. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.M.Ramesh Advocate sr.29621/16

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