

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20-06-2016

CORAM

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
AND
THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

H.C.P.No.1193 of 2016

R.Chandramohan ... Petitioner/Husband
of the Detenue
-Vs-

1. The Superintendent of Police,
Namakkal District,
Namakkal.
2. The Inspector of Police,
Pallipalayam Police Station,
Namakkal District.
3. Maran

... Respondents

Petition under Article 226 of the Constitution of India, praying for issuance of a writ of Habeas Corpus, to bring the body or person the petitioner's wife Monisha, aged 24 years, from the illegal custody of the third respondent and set her at liberty.

For petitioner : Mr.K.C.Karl Marx

For respondents : Mr.V.M.Rajentren,
Additional Public Prosecutor

O R D E R

(Order of the Court was made by S.Nagamuthu,J.)

The petitioner claims to be the husband of one Monisha, aged 24 years. According to the petitioner, the marriage between them was solemnised on 05.05.2015 and the same was registered on the file of Sub-Registrar, Pallipalayam, on the same day. He further submits that from 30.05.2016, Monisha has been illegally detained by her parents.

2. Today, when this Habeas Corpus Petition came up for hearing, the detenue Monisha was produced before this Court. The third respondent, who is the father of the

detenue, and Mrs.Kalavathi, who is the mother of the detenue, also made appearance. When we enquired the detenue, she stated that she has been all along living only with her parents and she is willing to live only with her parents and that she does not want to go with the petitioner. The said statement is recorded. The petitioner also made appearance. He submitted that he was working as a teacher in Physics Department in Vidyavikas School at Namakkal, where the detenue also studied. He is a Post-graduate, having B.Ed. Degree to his credit. According to him, after the study was over, he fell in love with the detenue and, out of the same, marriage was celebrated.

3. We do not want to go into these issues, because, the detenue has made a statement in the open Court that she is not detained by her parents and she is living with them happily and that she does not want to go with the petitioner.

4. In view of the same, no direction, as prayed for, can be given in this petition. Habeas Corpus Petition is, therefore, dismissed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police,
Namakkal District,
Namakkal.
2. The Inspector of Police,
Pallipalayam Police Station,
Namakkal District.
3. The Public Prosecutor,
High Court, Madras.

H.C.P.No.1193 of 2016

CTK(CO)
CA(01/07/2016)