

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 15-06-2016

CORAM

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

H.C.P.No.1197 of 2016

Mr.S.Manimurugan

Petitioner

-vs-

1.The Inspector of Police,
E-2 Police Station,
Peelamedu,
Coimbatore.

2.The Commissioner of Police,
Coimbatore-641 018.

Respondents

Petition under Article 226 of the Constitution of India, praying for issuance of a writ of Habeas Corpus, directing the respondents to produce petitioner's wife Keerthana, aged 19 years, before this Hon'ble Court.

For petitioner : Mr.M.Arunachalam

For respondents : Mr.V.M.R.Rajendran,
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 Mrs.M.Keerthana, whose date of birth is 07.11.1997. According to the petitioner, he married Mrs.Keerthana on 13.11.2015. After the marriage, according to him, she was with him, living as his wife. But, on 21.04.2016, Mrs.Keerthana told the petitioner that she wanted to go her mother, who was ailing, and the petitioner permitted her for the same. Accordingly, she went to her parental home and, thereafter, she did not return to the matrimonial home. Apprehending that she was detained illegally, the petitioner came to this Court with this Habeas Corpus Petition.

2. Today, this Habeas Corpus Petition has been listed in the special list, as a mention was made by the learned Additional Public Prosecutor.

3. We have heard the learned counsel for the petitioner; the detenue, who is present before this Court; and the learned Additional Public Prosecutor.

4. The first respondent has produced the detenue Mrs. Keerthana. We enquired her. She told that she has married the petitioner. However, for the present, she does not want to go to matrimonial home. She further stated that she wants to go with her parents. Her parents were also before this Court and they said that they would take care of her. She also told that she has studied B.Com., but discontinued the same, and she wants to continue the course and then decide about her future. The said statement is recorded.

5. Learned counsel for the petitioner submitted that under threat and coercion, she made such a statement. We enquired her again and, in the presence of the learned counsel for the petitioner, she made it very clear without any hesitation that she has not been coerced or threatened and she wants to go with her parents on her own accord. The said statement is recorded.

6. In view of the statement made by the detenue, as there is no illegal detention, there is no scope to issue any writ, as prayed for. This Habeas Corpus Petition is, accordingly, dismissed.

dixit

S/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
E-2 Police Station,
Peelamedu, Coimbatore.
2. The Commissioner of Police,
Coimbatore-641 018.
3. The Public Prosecutor,
High Court, Madras.

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