

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2016

CORAM

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

H.C.P.No.1293 of 2016

S.Yuresh Kumar Petitioner

Vs

State represented by:
The Inspector of Police,
R-11, Royal Nagar Police Station,
Valarasaravakkam, Chennai

..... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS directing the respondents to produce the person or body of the petitioner's wife B.Ramya before this Court and set her at liberty.

For Petitioner	:	Mr.M.Gnanasekar
For Respondent	:	Mr.V.M.R.Rajentren
		Additional Public Prosecutor
For Detenue	:	Mr.M.Kempuraj

ORDER

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

The petitioner is the husband of one Mrs. B.Ramya, aged 22 years. According to the petitioner, the marriage between him and Ramya was celebrated on 09.06.2016. He has further stated that on 14.6.2016, he went with Ramya for a cinema and they returned in their car to their house and when the car was being parked, Ramya went missing. In this regard, he made a complaint to the respondent police. Since the detenue, Ramya was not secured, he has come up with this Habeas Corpus Petition.

2. Today, when the Habeas Corpus Petition is taken up for hearing, one Prasanna, who claims to be a founder trustee of an

organisation known as International Foundation for Crime Prevention and Victim Care. She claimed that she has been running her office at No.2030, 1st Floor, 13th Main Road, Anna Nagar West, Chennai. She produced the detainee before this Court today. The Inspector of Police, who is present before this Court would submit that he came to know on 09.07.2016 that the detainee was kept in the said organisation. Miss. Prasanna gave a letter on 09.07.2016 to produce the detainee before this Court.

3. The detainee, when we enquired, told us that marriage between her and her husband was celebrated against her willingness. Therefore, within few days of the marriage, on her own accord, she left her matrimonial home and from then onwards, she has been staying in the NGO. Now, she wants to go back only to the NGO and she does not want to go back to her husband.

4. Miss. Prasanna would state that the fact that the detainee came to their organisation was duly informed to Tirumangalam Police, immediately. That submission was also recorded.

5. In view of the said position, no further direction as prayed for could be given. The Habeas Corpus Petition is therefore, dismissed. However, the petitioner is at liberty to work out his remedy before the Family Court and the detainee is at liberty to chose her own way of life.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
R-11, Royal Nagar Police Station,
Valarasaravakkam, Chennai

2. The Public Prosecutor, High Court, Madras.

+1 cc to Mr.M.Gnanasekar Advocate sr.38922

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