

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2016

Coram:

THE HONOURABLE MR.JUSTICE M.JAICHANDREN
and
THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

H.C.P.No.155 of 2016

A.Abdul Rahim .. Petitioner

vs.

The Inspector of Police,
B.14 Police Station,
Kuniyamuthur,
Coimbatore. ... Respondent

H.C.P. has been filed for a writ of Habeas Corpus directing the respondent to search and produce the petitioner's wife, namely, Mrs.Dhivya, aged about 26 years before this Court and to set her at liberty.

For petitioner : Mr.L.Ramu

For Respondent : Mr.V.M.R.Rajentran,
Addl. Public Prosecutor (Crl.side)

O R D E R

This Habeas Corpus Petition has been filed to direct the respondent to produce the wife of the petitioner, namely, Dhivya, aged about 26 years, before this Court and to set her at liberty.

2. The petitioner has stated that the marriage between him and the detainee had taken place on 07.10.2015. Thereafter, they had been living together. However, the father and the other relatives of the detainee had taken her away. Fearing her safety, the petitioner had lodged a complaint before the respondent police, on 25.01.2016. Thereafter, he has preferred the present Habeas Corpus Petition before this Court.

3. Today, when the matter had been listed for hearing, the respondent police had produced the detainee before this Court.

4. On enquiry, she has stated that she had married the petitioner, on 07.10.2015. Thereafter, the father and some other relatives had taken her away to Coimbatore. She has further stated that she wants to live with the petitioner.

5. Since the detenue is a major and as she had expressed her willingness to live with the petitioner, pursuant to her marriage, said to have been taken place on 07.10.2015, we are of the view that the detenue could live with the petitioner, as per her wish. Accordingly, the detenue is at liberty to go along with the petitioner, as per her wish.

6. In such circumstances, we find it appropriate to close the Habeas Corpus Petition, as no further orders are necessary, at this stage. Hence, the Habeas Corpus Petition is closed. If the petitioner or the detenue wants police protection, it is for them to make a request to the police concerned and on such request being made, necessary protection may be given to them.

tsi

-s/d-

Assistant Registrar (CS-VI)

True Copy

Sub-Assistant Registrar

To:

1. The Inspector of Police,
B.14 Police Station,
Kuniyamuthur,
Coimbatore.

2. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.L.Ramu, Advocate, SR 8359

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