

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 18-10-2016

CORAM

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

H.C.P.No.2116 of 2016

J. Shanmugam

.. Petitioner

Vs

The State represented
by the Sub Inspector of Police
Taluk Police Station
Villupuram District.

... Respondent

Prayer : This petition is filed to issue a Writ of Habeas Corpus, directing the respondent herein to produce the body of the petitioner's wife M.Shobana, aged about 19 years, before this Court, and set her liberty, forthwith.

For Petitioner : M/s.A.M. Amutha Ganesh

For Respondent : Mr.V.M.R. Rajentren
Addl. Public Prosecutor

O R D E R

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

Heard the learned counsel, appearing on behalf of the petitioner, as well as the learned counsel, appearing on behalf of the respondent.

2. This Habeas Corpus Petition has been filed, praying that this Court may be pleased to issue a Writ of Habeas Corpus, directing the respondent to produce the body of the petitioner's wife M.Shobana, aged about 19 years, before this Court, and set her liberty, forthwith.

3. When the matter was taken up for hearing, the detinue was produced before this Court by the respondent Police. The petitioner was also present before this Court.

4. When the detenue was enquired by us, she told that she had got married the petitioner on 17.8.2016 and expressed her willingness to go along with the petitioner, who is her husband.

5. A perusal of the Marriage Invitation Card, which is available in the typed set of papers, shows that the detenue had married the petitioner on 17.8.2016 in Abirameshwarar Temple at Thiruvamathur, Villupuram and their marriage has also been registered by the Temple Authorities. The First Information Report filed in the typed set of papers reveals the age of the detenue as 19 and there is no dispute with regard to the age of the detenue.

6. Since the detenue is a major and she has expressed her desire to go along with the petitioner, who is her husband, we are of the view of that the detenue can be set at liberty to go along with petitioner.

7. Accordingly, the detenue is set at liberty to go along with the petitioner, who is her husband, forthwith. However, since the detenue has been brought from the Home, namely, Kalaiselvi Karunalaya, VPM Abayam, Thanthai Periyar Nagar, Villupuram, the Officer-in-Charge of the said Home, is directed to set the detenue at liberty to go along with the petitioner, forthwith, on production of proper identification by the petitioner.

With the above directions, the Habeas Corpus petition stands closed.

Sd/-
Assistant Registrar(CS IV)

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Sub Assistant Registrar

rnb

To

1.The Sub Inspector of Police
Taluk Police Station
Villupuram District.

2.The Public Prosecutor
High Court, Madras.

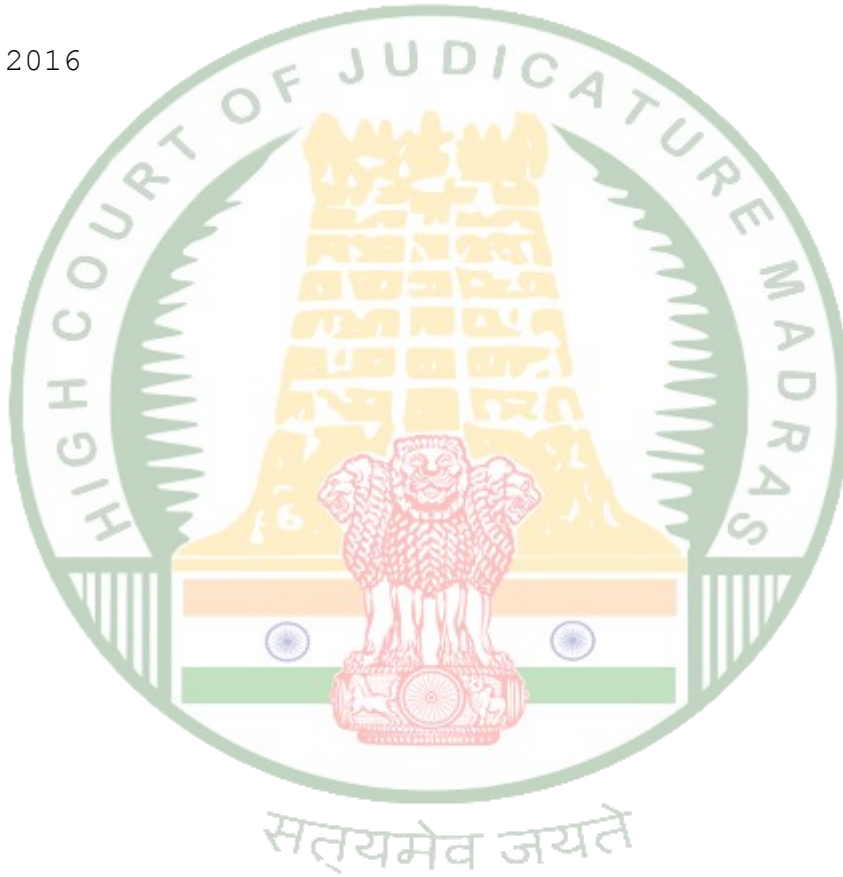
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3.The Officer-in-Charge
Kalaiselvi Karunalaya,VPM Abayam,
Thanthai Periyar Nagar,
Villupuram

1 cc to M/s.A.M.Amutha Ganesh, Advocate, sr.58498

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sai co
kra 18.10.2016



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