

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2016

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN
and
THE HON'BLE MR.JUSTICE S.BASKARAN

H.C.P.No.2188 of 2016

Jegadeesan

.. Petitioner

Vs

- 1.The State,
rep by the Superintendent of Police,
Villupuram District,
Villupuram.
- 2.The Inspector of Police,
Brammadesam Police Station,
Villupuram District.
- 3.Thangamari

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS, directing the respondents 1 to 3 to produce the person and body of the petitioner's wife Tamizharasi, aged about 21 years, before this Court and hand over her custody to the petitioner herein.

For Petitioner : Mr.E.Kannadasan

For Respondents: Mr.V.M.R.Rajentran,
Additional Public Prosecutor

सत्यमेव जयते

ORDER

[Order of the Court was made by S.BASKARAN, J.]

This Habeas Corpus Petition has been filed, by the husband of the detenu Tamilarasi, praying for the issue of a Writ of Habeas Corpus, seeking a direction to the respondents to produce the person and body of the detenu Tamizharasi, before this Court and hand over her custody to the petitioner herein.

2. We have heard the learned counsel appearing on behalf of the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondents 1 and 2.

3 Today, when the matter was called, the detinue was produced before this Court, by the first respondent police. On enquiry, the detinue had stated that she was forcibly given in marriage to the petitioner herein and she had walked away from the petitioner on the date of the marriage itself. According to her, she is, now, living with one Vijayakumar, whom she claims to have married. The detinue, now, states that she is not willing to go with the petitioner herein.

4 The learned counsel appearing on behalf of the petitioner also concedes that the marriage of the petitioner with the detinue took place, on 8.9.2016 and on the same date, the detinue left the matrimonial home.

3 Considering the submissions made by the learned counsel appearing on behalf of the parties concerned and also the submissions made by the detinue, it is noted that the detinue is a major and she had expressed her unwillingness to go along with the petitioner. In such circumstances, the detinue Tamizharasi is set at liberty to go as per her wish. No further orders are necessary in the Habeas Corpus Petition. Accordingly, the Habeas Corpus Petition stands closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

vvk

To

1.The Superintendent of Police,
Villupuram District,
Villupuram.

2.The Inspector of Police,
Brammadesam Police Station,
Villupuram District.

3. The Public Prosecutor, High Court, Madras.

+ 1 cc to M/s. E. Kannadasan, Advocate SR.60842

H.C.P.No.2188 of 2016

MV(CO)

EU 24.11.16