

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 29.11.2016

CORAM

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

H.C.P.No.2437 of 2016

R.Thirumuruganandan

...Petitioner

Vs.

1.Inspector of Police
Vedakkipalayam Police Station
Pollachi, Coimbatore District.
2.The Superintendent of Police
Coimbatore.
3.Bhuvaneswari
4.Kalimuthu

..Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS directing the first respondent to produce the wife of the petitioner, namely, Menaga, aged about 26 years, before this Court and to set her at liberty.

For Petitioner : M/s.R.C. Paul Kanagaraj
For Respondents : Mr.V.M.R.Rajentren,
Additional Public Prosecutor

ORDER

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

The petitioner, who is the husband of detainee, has come forward with this petition seeking a direction to the first respondent to produce the detainee, namely, Menaga, aged about 26 years, before this Court and to set her at liberty.

2. Today, when the matter was taken up for hearing, the detenue was produced by the first respondent police. The petitioner as well as the mother of the detenue, the third respondent, are also present.

3. On enquiry, the detenue had categorically stated that she is now preparing for the civil services examination and she is not willing to go along with the petitioner and refutes the claim of marriage made by the petitioner.

4. The detenue has further stated that even though the marriage was registered, the marriage has not been solemnised as per Hindu Customs and rites and therefore, she has taken out a petition to declare the alleged marriage as null and void.

5. In such circumstances, as the detenue is a major, as her date of birth is 28.3.1991, and had expressed her unwillingness to go along with the petitioner, but expressed her desire to go along with her mother, the third respondent herein, she is permitted to go as per her wish. Hence, no further orders are necessary in this Habeas Corpus Petition. Accordingly, it is closed. However, it goes without saying that it may be open to the petitioner to work out his remedy, if any, before the appropriate forum, in the manner known to law.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

rnb

To

1. Inspector of Police
Vedakkipalayam Police Station
Pollachi, Coimbatore District.

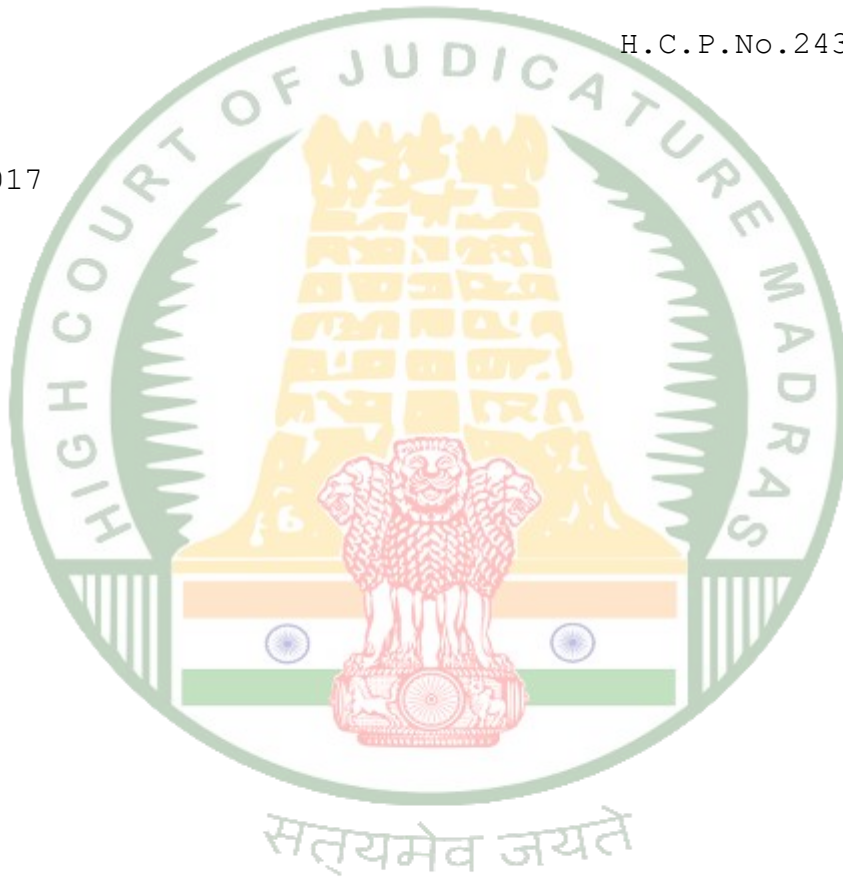
2.The Superintendent of Police
Coimbatore.

3.The Public Prosecutor
High Court, Madras.

+1 cc to Mr.M.Venkadeshnan Advocate sr 70422

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