

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2016

Coram:

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

H.C.P.No.409 of 2016

S.Rajendran

.. Petitioner

vs.

1.The Commissioner of Police
Vepery
Chennai.

2.The Inspector of Police
Korrukupet
Chennai-600 021.

... Respondents

Habeas Corpus Petition has been filed under Article 226 of the Constitution of India for a Writ of Habeas Corpus, directing the respondents to produce the body of the petitioner's wife, namely, P.Bharathi, aged about 23 years, before this Court, and to set her at liberty.

For petitioner :Mr.G.M.Ananthakumar

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

O R D E R

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

The petitioner claims to be the husband of the detainee, viz., P.Bharathi, aged about 23 years. On the allegation that the detainee has been now in the company of her parents, the petitioner has come up with this petition, seeking to direct the respondents to produce the detainee before this Court, and to set her at liberty.

2. We have heard, Mr.G.M.Ananthakumar, the learned counsel appearing for the petitioner; Mr.V.M.R.Rajentran, the learned Additional Public Prosecutor appearing for the State; and we have also perused the records carefully.

3. The learned counsel appearing for the petitioner would submit that the marriage between the petitioner and the detainee was celebrated on 15.02.2016 at Vadapalani Anna Mini Marriage

Hall, Chennai. He would further add that, now, the detainee is in the company of her parents.

4. A perusal of the records would go to show that no certificate or documentary proof has been produced to prove the factum of marriage, except, photographs. It is the submission of the learned counsel for the petitioner himself that, now, the detainee is in the company of her parents.

5. Being with the parents, in our considered opinion, will not amount to illegal detention. Since, we are satisfied that there is no illegal custody of the detainee, there is no scope to pass any orders as prayed for in this petition. The Habeas Corpus Petition is, therefore, dismissed.

Sd/-
Assistant Registrar(AS)

//True Copy//

Sub Assistant Registrar

To

- 1.The Commissioner of Police
Vepery
Chennai.
- 2.The Inspector of Police
Korrukupet
Chennai-600 021.
- 3.The Additional Public Prosecutor
High Court, Madras.

H.C.P.No. 409 of 2016

sv(CO)
srg(01/04/2016)

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