

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2016

CORAM

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
and
THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

H.C.P.No.978 of 2016

Mr.Paul Krishna Kannan

.. Petitioner

vs.

1.The Commissioner of Police,
Vepery,
Chennai - 600 007.

2.The Deputy Commissioner of Police,
Anna Nagar,
Chennai.

3.The Inspector of Police,
Kolathur Police Station,
Kolathur.

4.Benny @ Chermaraj
5.Balan

..... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus to direct the respondents to produce body of the detinue K.Bakiyavathi aged about 23 years, before this Court and set the detinue at liberty.

For Petitioner

.. Mr.P.S.Kothandaraman

For RR1 to 3

.. Mr.V.M.R.Rajentren,
Additional Public Prosecutor

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O R D E R

(The order of the Court was made by S.NAGAMUTHU.,J)

The petitioner is the father of one Ms.K.Bakiyavathi, aged about 23 years. On the allegation that she is found missing and she has been abducted by the respondents 4 & 5, the petitioner has come up with this petition.

2.Today, when the matter was taken up for hearing, the detinue and the respondents 4 & 5 have made appearance before this Court. On enquiry, the detinue informed the Court that her date of birth is 01.04.1994, which is not disputed by the petitioner also. She has studied upto B.B.A., course. She has further submitted that on her own volition, out of love for the fourth respondent herein, she went out of her parental home and married the fourth respondent herein on 27.04.2016 at Avarikulam Village in Tirunelveli District. She would further submit that she has been living happily with her husband namely, the fourth respondent herein and according to her, she has not been illegally detained by anybody.

3.The petitioner is present before this Court. He has not opposed the marriage between the detinue and the fourth respondent herein. He would further submit that he would like to arrange for a formal marriage reception to recognise the marriage between the detinue and the fourth respondent. But, neither the detinue nor the fourth respondent is willing for the same.

4.In view of the above submission, we are of the view that there is no illegal detention of the detinue by anybody and the detinue on her own volition married the fourth respondent herein and living with him happily. Therefore, the petition deserves to be dismissed. Accordingly, the Habeas Corpus Petition stands dismissed.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

1.The Commissioner of Police,
Vepery,
Chennai - 600 007.

2.The Deputy Commissioner of Police,
Anna Nagar,
Chennai.

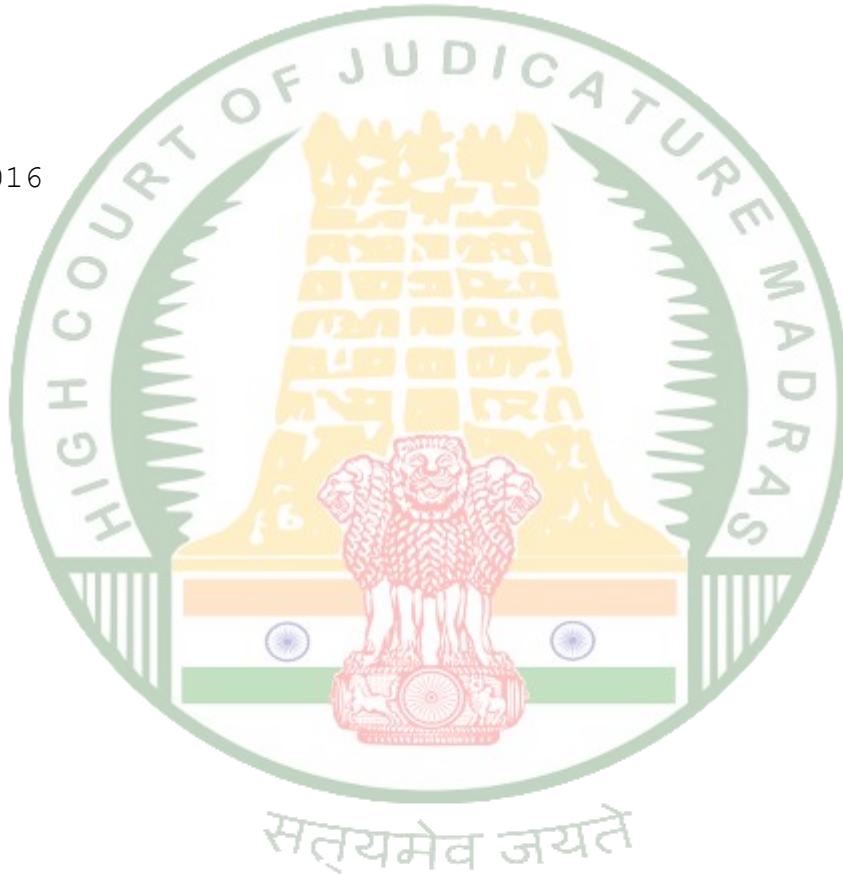
3.The Inspector of Police,
Kolathur Police Station,
Kolathur.

4.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.P.S.Kothandaraman Advocate sr.29676

H.C.P.No.978 of 2016

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