



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :05.10.2016

CORAM

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

AND

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

H.C.P (MD) No. 1334 of 2016

V.Pandiarajan

.. Petitioner

-Vs-

1.The State rep. by its
the Superintendent of Police,
Ramnad District

2.The Inspector of Police,
Chatrakudi Police Station,
Ramnad District

3.Kasinathan

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Habeas Corpus to direct the 1st and 2nd Respondents to produce the body or person of the petitioner's wife namely Vinothini W/o.Pandiarajan aged about 25 years from the illegal custody of the 3rd respondent before this Court and set her at liberty.

For Petitioner : Mr.N.Ranjith

For Respondents : Mr.A.Ramar for R1 & R2

Additional Public Prosecutor

Mr.M.S.Jeya Karthick for R3

O R D E R

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

The petitioner claims to be the husband of one Vinothini, D/o.Kasinathan, who is the third respondent herein. She is aged 25 years. She is a Graduate with B.Tech degree to her credit. According to the petitioner, there was marriage between him and the detainee, Ms.Vinothini on 06.06.2016. According to the petitioner, the detainee had been illegally detained by the 3rd respondent.

2. Today, when this Habeas Corpus Petition came up for hearing, the detainee was produced by the 2nd respondent. The third respondent has also made appearance. We enquired the detainee. She told us that she is a Graduate having B.Tech degree to her credit. She further told that she was employed in a



private company for some time. She further told that though the marriage between her and the petitioner happened, on coercion and compulsion, the petitioner got her signature and got the registration, as though there is marriage between her and the petitioner. She further told us that she never lived as the wife of the petitioner. When we enquired further as to whether she was staying with the petitioner, she states that she is staying all along with the third respondent and other family members. When we enquired that whether she is willing to go back with the petitioner, she told that she wants to live only with her parents and she does not want to go with the petitioner. But the petitioner has not made appearance either in person or through counsel.

3. Having regard to the statement made by the detinue, we set her at liberty, leaving it open for her to choose her own way of life. Accordingly, this petition is dismissed.

Sd/-

Assistant Registrar (Crl.Side)

/True Copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Ramnad District

2.The Inspector of Police,
Chatrakudi Police Station,
Ramnad District

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 cc to Mr.M.S.Jeyakarthik, Advocate in SR No.59313

HCP. (MD) No.1334 of 2016
05.10.2016

RR

ANR/PV/26.10.2016/2P/5C