



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.12.2016

CORAM :

**THE HONOURABLE MR.JUSTICE R.SUBBIAH
AND
THE HONOURABLE MRS.JUSTICE J.NISHA BANU**

HCP(MD)No.1540 of 2016

Murugesan

... Petitioner

vs.

1)The Superintendent of Police,
Karur,Karur District.

2)The Inspector of Police,
Mayanur Police Station,
Karur District.

3)Raman

4)Subbulakshmi

5)Sathish

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Habeas Corpus, directing the 2nd respondent to produce the body or person of the petitioner's wife namely, Lakshmi, D/o. Raman, aged 19 years before this Honourable Court and set him at liberty.

For Petitioner : Mr.M.Subash Babu
For R1 and R2 : Mr.K.S.Dauraipandian
Additional Public Prosecutor
For R3 and R4 : Mr.P.Vairava Sundaram

ORDER

[Order of the Court was made by R.SUBBIAH, J.]

The petitioner, namely Murugesan, the husband of the detinue, has filed this Habeas Corpus Petition, stating that his wife Lakshmi, aged about 19 years, was illegally detained by the respondents 3 to 5 from 09.11.2016. It is further stated the petitioner fell in love with the detinue and married her on 08.08.2016 in Vembu Mariamman Temple at Karur and their marriage was also registered on 09.08.2016 before the Sub Registrar office. The parents and relatives of the detinue did not accept the marriage and they have taken the detinue to their home and



thereafter, she did not come back to see the petitioner. Hence, he has given a complaint to the respondents 1 and 2 on 10.11.2016. Since no steps have been taken so far to trace out the detainee, the petitioner is before this Court with the present Habeas Corpus Petition.

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2.Today, when the matter was taken up for consideration, the detainee was produced before this Court. On our enquiry, the detainee expressed her unwillingness to go along with the petitioner. In fact, when the matter was called at 10.30 a.m., on the request made by the petitioner, the case was passed over to have a talk with the detainee. Again, when the matter was called at 01.15 p.m., the detainee again expressed her unwillingness to go along with the petitioner. She has also made an assertive statement that she is not prepared to live with her husband/petitioner herein.

3.Therefore, recording the submission made by the detainee, the Habeas Corpus Petition is closed giving liberty to the petitioner to work out his remedy before the appropriate forum in the manner known to law.

Sd/-

Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

To

1)The Superintendent of Police,
Karur,Karur District.

2)The Inspector of Police,
Mayanur Police Station,Karur District.

3)The Additional Public Prosecutor,
Madurai Bench of Madras HighCourt,Madurai.

+1CC to M/S M.Subash Babu, Advocate, SR.No.81970.

+1CC to M/S P.Vairava Sundaram, Advocate, SR.No.81621

GJM/SKN/4-1-17/3P/6C

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