

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 08.03.2017

CORAM

THE HONOURABLE MR. JUSTICE S.NAGAMUTHU
and
THE HONOURABLE DR.JUSTICE ANITA SUMANTH

H.C.P No.148 of 2017

Mohana Kumaramangalam

.. Petitioner

Vs

State rep by

1. The Commissioner of Police,
Vepery, Chennai

2. The Inspector of Police,
F-4, Thousand Lights Police Station,
Chennai District

3. Deepak Ajay

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India directing the respondents 1 and 2 to produce the detainee viz., D. Gowthami D/o Dineshkumar, aged 20 years before this Court and may set her at liberty who is now under the illegal custody of the third respondent herein.

For Appellant : Mr.C. Kathiravan

For R.1 & R.2 : Mr.V.M.R. Rajendran
Addl. Public Prosecutor

JUDGMENT

[Judgment of the court was delivered by ANITA SUMANTH, J.,]

The petitioner is one Mohana Kumaramangalam, the mother of the detainee viz., D. Gowthami, stated to be 20 years of age and studying MBA at Loyala College (Correspondence Course). The petitioner filed a complaint on 21.01.2017 stating that her daughter D.Gowthami left the residence apparently to attend a contact programme in Loyala College, but did not return home. She was informed by her daughter's friend that her daughter was last seen with one Deepak Ajay, the third respondent herein. Thereafter, she was informed that two of them had got married, the detainee under force.

2. We have considered the above submissions.

3. The parties were produced before us. The detainee D. Gouthami would state that she has married Deepak Ajay, the third respondent herein voluntarily and they have been living together as man and wife. She vehemently stated that she wished to stay in marital house and that she was not interested in returning to parental home.

4. The mother of the detainee, on the other hand, stated that the third respondent, stated to be employed with the Income Tax Department in Chennai, and his associates, intimidated her and her family and they had beaten up the brother of the detainee.

5. Be that as it may, the position now is that the detainee states that she is happy in her matrimonial home and that her marriage to the third respondent was with her consent.

6. Recording the submissions, this Habeas Corpus Petition is closed. The First Respondent, the Commissioner of Police, Vepery Chennai and the second respondent, the Inspector of Police, F4 Thousand Lights Police Station are directed to ensure that there is no difficulty or threat posed to the petitioner and her family by the third respondent or any persons associated with him.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

sr

To

1. The Commissioner of Police,
Vepery, Chennai
 2. The Inspector of Police,
F-4, Thousand Lights Police Station,
Chennai District
 3. The Public Prosecutor, High Court, Chennai.
- + 1 cc Mr.C.Karthiravan, Advocate SR.14975

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GJII(CO)
EU 24.3.17