

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2017

CORAM

THE HONOURABLE MR.JUSTICE M.JAICHANDREN
and
THE HONOURABLE MR.JUSTICE T.MATHIVANAN

H.C.P.No. 190 of 2017

Dr.E.Rajakumar

.. Petitioner

Vs.

1. The Inspector of Police
Tharamangalam Police Station
Salem District

2.The Superintendent of Police
Salem District, Salem

3.P.Kandaswamy

4.K.Jayakumar

5.V.Sekar

6.Jayaprakasam

7.Manikandan

8.Rajiv Gandhi

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus directing the respondents herein to produce the body and person of the detenu J.Menaka, female aged 25 years, daughter of M.Jayaprakasam and sister-in-law of my elder brother by name Saravanan, produce her before this Court, set her at liberty now under the illegal detention of the 3rd to 8th respondents herein and restore her to the custody of the petitioner herein.

For Petitioner

: Mr.T.Shanmugam

For Respondents

: Mr.V.M.R.Rajentren

Addl. Public Prosecutor

ORDER

Order of the Court was made by T.Mathivanan, J.]

Heard the learned counsel appearing on behalf of the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondents 1 and 2.

2. This petition is filed by the petitioner to direct the respondents to produce the girl J.Menaka before this Court, who is said to be in the illegal custody of the respondents 3 to 8.

3. When the petition is taken up for hearing, the first respondent has produced the girl. On enquiry, she states that the petitioner is none other than her sister's husband's brother. She states further that she is not in the illegal custody of the respondents 3 to 8 and since the petitioner wanted to marry her, he had approached this Court with this petition to produce her as if she is in the illegal custody of the respondents 3 to 8. She has also stated that she is given in marriage to one Jayaprakash and that their marriage was solemnized on 02.12.2016 in a perumal temple at Perambalur and now she is residing along with her husband peacefully.

4. Her husband Jayaprakash and the 6th respondent, who is the father of the detainee, are also present in the Court today. On enquiry, the sixth respondent has conceded that her daughter was given in marriage to Jayaprakash.

We are convinced that the detainee is not in the illegal custody of respondents 3 to 8. Since the detainee is a major, she is permitted to go along with her husband. As no further order is necessary, the Habeas Corpus Petition stands closed.

sd/
Assistant Registrar(CCC)

/true copy/

Sub Assistant Registrar

gpa
To

1. The Inspector of Police
Tharamangalam Police Station
Salem District

2. The Superintendent of Police
Salem District, Salem

3. The Public Prosecutor
High Court, Madras.

H.C.P.No.190 of 2017

RJ(CO)
GN(08/03/2017)