

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2017

CORAM:

THE HONOURABLE MR. JUSTICE RAJIV SHAKDHER
and

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

H.C.P.No.2213 of 2017

Imayavaramban

.. Petitioner

Vs.

1. The Superintendent of Police,
Dharmapuri District,
Dharmapuri.

2. The Superintendent of Police,
Krishnagiri District,
Krishnagiri.

3. The Inspector of Police,
Pochampalli Police Station,
Krishnagiri District.

4. G.P.Panneer
M.G.N.Matriculation Higher
Secondary School, Global CBSC School
Pochampalli, Krishnagiri District.

... Respondents

* * *

Prayer : Habeas Corpus Petition filed under Article 226 of the Constitution of India praying, to issue a writ of Habeas Corpus directing the respondents 1 to 3 to produce the detinue, Yogadharshni, wife of Imayavaramban, aged 23 years, now illegal custody of fourth respondent herein before this Court, and set her at liberty.

* * *

For Appellant : Mr.R.Sankarasubbu

For Respondents: Mr.V.M.R.Rajentran
Additional Public Prosecutor

ORDER

[Order of the Court was made by RAJIV SHAKDHER, J.]

1. The detinue/Ms.Yogadharshni, has been produced.

2. The medical report of the detinue/Ms.Yogadharshni, dated 24.11.2017, has also been produced before us. According to the preliminary investigation carried out by the Doctor, the

petitioner's assertion made before us, that the detainee was pregnant, does not appear to be correct.

3. The petitioner had approached this Court on the ground that he had entered into a matrimonial relationship with the detainee/ Ms.Yogadharshni, and since, she was being kept in illegal custody and was being forcibly detained by respondent No.4, i.e. her father, this Court, should intercede in the matter.

4. We have interacted with the detainee/Ms.Yogadharshni.

4.1. She says she does not wish to accompany the petitioner. The detainee/Ms.Yogadharshni, is 23 years of age and since, she is a major, in our view, she is well within her rights to take a decision concerning her own life.

5. In these circumstances, no further directions are required to be issued in the instant petition.

5.1. The petition is, accordingly, closed.

6. Needless to say the parties will be at liberty to take recourse to other remedies that may be available to them, albeit, in accordance with law.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police,
Dharmapuri District, Dharmapuri.
2. The Superintendent of Police,
Krishnagiri District, Krishnagiri.
3. The Inspector of Police,
Pochampalli Police Station,
Krishnagiri District.
4. The Additional Public Prosecutor,
Madras High Court.

+1 cc to Mr.Sasnkarasubbu Advocate sr 84492

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