

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2017

CORAM

THE HONOURABLE MR. JUSTICE M.JAICHANDREN
and
THE HONOURABLE MR. JUSTICE T.MATHIVANAN
H.C.P. No. 2569 of 2016

M.Saravanan

... Petitioner

Vs.

1.The Commissioner of Police
Office of the Commissioner of Police
Vepery
Chennai

2.The Inspector of Police
T4-Maduravoyal Police Station
Chennai

3.R.Balamurugan

4.B.Ramalakshmi

5.R.Siva Gurunathan

6.S.Poomari

... Respondents

Prayer : Petition under Article 226 of the Constitution of India, praying for issuance of Writ of Habeas Corpus to direct the respondents 1 and 2 to produce the body of the detainee/petitioner's wife, namely Divya before this Court and set her at liberty.

For Petitioner : Mr.G.Sakthivel

For Respondents : Mr. V.M.R.Rajentren
Addl. Public Prosecutor for R1 & R2

O R D E R

(Order of the Court was made by T.MATHIVANAN.,J.)

The petitioner, who claims himself to be the husband of the detinue, has stated that he had married the detinue on 02.07.2016. Further, he would state that the girl was missing from 26.11.2016 and he had also lodged a complaint before the second respondent.

2. When the matter is taken up for hearing today, the detinue has been produced by the second respondent. On enquiry, the detinue, namely Divya, has stated that she was abducted and was compelled to marry the petitioner and that the alleged marriage was not performed with her consent.

3. According to the detinue, her Date of Birth is 21.01.1998 and therefore, she is aged about 19 years. She has further stated that she wants to go along with her parents, who are present before this Court and wants to continue her study as she has been pursuing her B.E Degree course.

Under the said circumstance, we find that no further order is required in this Habeas Corpus Petition and hence this petition is closed. As the girl has attained majority, we set her at liberty and allowed her to go along with her parents.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gpa

To

1. The Commissioner of Police
Office of the Commissioner of Police
Vepery
Chennai

2. The Inspector of Police
T4-Maduravoyal Police Station
Chennai

3. The Public Prosecutor
High Court, Madras.

4. The Joint Secretary to Government
Public (Law & Order)
Fort St. George,
Chennai-9.

+1cc to Mr.Sakthivel, Advocate, S.R.No.1885
+1cc to Mr.Chitramani, Advocate, S.R.No.1805

RJ(CO)
RS(25/01/2017)

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