



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **26.10.2017**

CORAM:

THE HONOURABLE MR. JUSTICE R. SUBBIAH

AND

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA
H.C.P. (MD) No. 1508 of 2017

M. Murugesan : Petitioner

Vs.

1. The Superintendent of Police,
Pudukottai District

2. The Inspector of Police,
Arimalam Police Station,
Pudukottai District

3. Selvaraju

4. S. Kalyani

5. Vijayakumar : Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, to direct the 2nd respondent to produce the body or person of the detenu the petitioner's wife namely, Uthra, D/o. Selvaraju aged about 25 years before this Court and set her at liberty.

For Petitioner : Mr. N. Kamesh

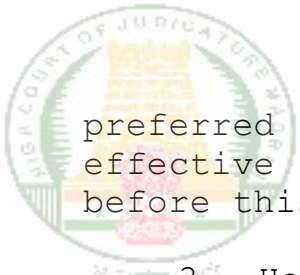
For Respondents : Mr. A. Ramar for R1 and R2
Additional Public Prosecutor
No appearance for R3 to R5

ORDER

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

The petitioner has filed the present Habeas Corpus Petition claiming that the detenu, viz., Uthra, aged about 25 years is his wife and she is in the illegal custody of the respondents 3 to 5.

2. In the petition, it has been averred that the detenu is the daughter of the respondents 3 and 4 and both the petitioner and the detenu were in love with each other and on 12.05.2017, they went to Arulmigu Maha Mariamman Kovil, Pattamal Street, Airport, Trichy and got married as per the Hindu Rites and Customs. They have also registered their marriage in the office of the Sub Registrar, K. Sathanur. Thereafter, they returned to their native place. Under such circumstances, the father of the detenu/third respondent forcibly taken the detenu. Therefore, the petitioner



preferred a complaint to the respondent police. Since no effective steps were taken to secure the detenu, the petitioner is before this Court with this petition.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents 1 and 2.

4. Today, when the matter was taken up for hearing, the detenu was produced by the respondent police.

5. On enquiry, the detenu categorically stated that she is not in the illegal custody of the respondents 3 to 5. She has further stated that she was taken by the petitioner to the Temple and her signature was forcibly obtained. She has also denied the marriage as alleged by the petitioner. She expressed her willingness to go along with the third respondent/father. The petitioner was also enquired.

6. In view of the willingness expressed by the detenu to go along with her father/third respondent, nothing survives for adjudication in this petition. Accordingly, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1.The Superintendent of Police, Pudukottai District

2.The Inspector of Police, Arimalam Police Station,
Pudukottai District

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

RR

MAS/SV-MMS/SAR2:13.11.2017:2P-4C

Order made in
H.C.P. (MD) No.1508 of 2017
Dated: 26.10.2017