



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

AND

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

H.C.P.[MD].No.1649 of 2017

C.Ajith : Petitioner

Vs.

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

2.The Inspector of Police,
Karur Police Station,
Pudukkottai District.

3.Karuppiah

4.Jeyalakshmi : Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents herein to produce the body and person of the petitioner's wife Sornalakshmi, D/o.Karuppiah, aged about 22 years and set her life at liberty.

For Petitioner : Mr.S.M.Sanjay

For Respondents 1&2 : Mr.C.Ramesh
Additional Public Prosecutor

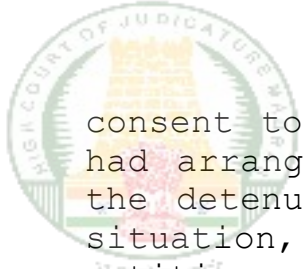
For Respondents 3&4 : Mr.K.Rajeshwaran

O R D E R

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

The present Habeas Corpus Petition has been filed seeking a Writ of Habeas Corpus, directing the respondents to produce the person or body of the detenu, namely, Sornalakshmi, D/o.Karuppiah, aged about 22 years before this Court and set her at liberty.

2. In the affidavit filed in support of the Habeas Corpus Petition, it has been averred that the petitioner and the detenu belong to same community, but different religion. They fell in love with each other. The parents of the petitioner have given



consent to marry the detenu. While so, the parents of the detenu had arranged marriage for the detenu with another person. Hence, the detenu came out of the house and stayed with him. In such a situation, the parents of the detenu made a complaint that the petitioner had abducted the detenu and a case in Crime No.207 of 2017 for the alleged offence under Sections 366 and 429 of the Indian Penal Code was registered against the petitioner. The petitioner was arrested and remanded to judicial custody and thereafter, he was released on bail. Under the above stated circumstances, the petitioner has come up with the present Habeas Corpus Petition for the relief stated supra.

3. Today, when the Habeas Corpus Petition was taken up for consideration, the second respondent police produced the detenu. When we enquired the detenu, she has stated that she is aged about 22 years. She has further stated that she was kidnapped by the petitioner against her wishes and now she is residing along with her parents. She has further stated that she is not willing to go along with the petitioner. We have enquired the petitioner also, who is present in Court.

4. Since the detenu is a major and as she has expressed her unwillingness to go along with the petitioner, in our considered view, there is no need to keep the Habeas Corpus Petition pending. The Habeas Corpus Petition is, thus, dismissed.

Sd/-

Assistant Registrar (Writs)

/True copy/

Sub Assistant Registrar

To

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

2.The Inspector of Police,
Karur Police Station,
Pudukkottai District.

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

+1cc to Mr.S.M.SANJAY, Advocate, SR.90991

+1cc to Mr.K.RAJESHWARAN, Advocate, SR.90974

H.C.P.[MD].No.1649 of 2017
05.12.2017

NB