



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND

THE HONOURABLE MR.JUSTICE P.VELMURUGAN
H.C.P. [MD] .No.539 of 2017

Rajesh : Petitioner

Vs.

1.The State of Tamil Nadu,
Rep by the Superintendent of Police,
Kanyakumari District At Nagercoil.

2.The Inspector of Police,
Suchindram Police Station,
Kanyakumari District.

3.Pachaimal : Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents to produce the petitioner's wife, Buma @ Varnikha, D/o.Pachaimal, aged about 21 years, and to set her at liberty.

For Petitioner : Mr.C.K.M.Appaji

For Respondents 1&2 : Mr.C.Mayil Vahana Rajendran
Additional Public Prosecutor

O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

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

2. The present Habeas Corpus Petition has been filed seeking a Writ of Habeas Corpus, directing the respondents to produce the petitioner's wife, Buma @ Varnikha, D/o.Pachaimal, aged about 21 years, and to set her at liberty.

3. According to the petitioner, he has married the detenu - Buma @ Varnikha, on 23.03.2017. As a proof of marriage, two photographs and an agreement attested by a Notary Public has been produced. The case of the petitioner is that his wife is now in the custody of the third respondent, who is none other than her father.

<https://hcservices.ecourts.gov.in/hcservices/>

4. We are, prima facie, satisfied that there is no valid



marriage. In any event, there is no material to show that there is illegal detention of the detenu by her father. Furthermore, the detenu is a major, aged about 21 years and she is entitled to take her own decision about her life. Hence, the Habeas Corpus Petition is dismissed.

WEB COPY

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Kanyakumari District At Nagercoil.

2.The Inspector of Police,
Suchindram Police Station,
Kanyakumari District.

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

+1 CC to MR.C.K.M.APPAJI, Advocate, SR No. 51893

NB

PSM/KP/SAR3/24.04.2017/2P/5C

ORDER MADE IN
H.C.P.[MD].No.539 of 2017
12.04.2017