

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2018
CORAM

THE HON'BLE DR.JUSTICE S.VIMALA
AND
THE HON'BLE MRS.JUSTICE S.RAMATHILAGAM

H.C.P.NO.1545 OF 2018

W.Mawon

....Petitioner

Vs

1. The Commissioner of Police
Vepery, Chennai - 600 007.
2. The Inspector of Police
V-1, Villivakkam Police Station
Chennai 600 007.
3. Fabian Afra David, S/o John David
No.62B/64, T.V.Amman Kovil Street
Villivakkam, Chennai 600 049.

....Respondents

For Petitioner : M/s.R.Prabhakaran
For Respondents : Mr.R.Prathap Kumar,
Addl.Public Prosecutor

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the respondents No.1 and 2 to secure the detainee Somerrin Wasinao aged 33 years, who is in the illegal detention by the third respondent and produce her before this Honourable Court and hand over her to the petitioner.

O R D E R

(Order made by Dr.S.VIMALA, J.)

Petitioner herein is the sister of the detainee Somirin Wasinao aged about 33 years seeking direction to the respondents 1 and 2 to rescue the detainee from the illegal custody of the third respondent.

2. The detainee as well as the third respondent are produced before this Court today. The third respondent has produced the marriage certificate dated 17.07.2017, which reveals that the third respondent has married the detainee Somirin Washinao on 14.07.2017 and the marriage has also been registered. The detainee, before this court, would state that when on earlier occasion a H.C.P. was filed by the third respondent, she had stated in the Court that nobody kidnapped her and on her own

volition she married the third respondent. The detainee states that she is working as Assistant Professor at a college and having taken a decision to marry the third respondent , a driver/driving instructor and that she is at liberty to decide her own fate.

3. Going through the facts and circumstances as well as the statement of the detainee in the Court today, we are satisfied that the detainee is not in illegal custody. Recording the same, this H.C.P. is disposed of.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

KST

To

1. The Commissioner of Police
Vepery, Chennai - 600 007.
2. The Inspector of Police
V-1, Villivakkam Police Station
Chennai 600 007.
3. The Public Prosecutor,
High court, Madras.

+2cc to Mr.R.Prabhakaran, Advocate, S.R.No.53507.

H.C.P.No.1545 of 2018

GP (CO)

rrs 17/09/2018.

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