

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.04.2018

Coram

THE HON'BLE MR.JUSTICE M.VENUGOPAL
&
THE HON'BLE MRS.JUSTICE R.HEMALATHA

H.C.P.No.314 of 2018

G.Venkatesh

... Petitioner

Vs.

1.The Commissioner of Police,
Vepery, Chennai - 7.

2.The Inspector of Police,
M-3, Puzhal Police Station,
Chennai - 66.

3.Mrs.Gracy

4.Mr.Sasikiran

5.Mr.Jhonson

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the 2nd respondent to produce the body of the petitioner's daughter, the detainee namely V.Sandhya, 21 years old from the illegal custody of 3rd to 5th respondent before this Court and set her at liberty at once and pass such further or other orders.

For Petitioner : Mr.R.Radha Pandian

For Respondents : Mr.R.Ravichandran,

Addl. Public Prosecutor for R1 and R2.

Mr.N.K.Arul Muruganandham for R3 to R5

O R D E R

(Order of the Court was made by M.VENUGOPAL, J.)

Heard the Learned Counsel for the Petitioner, Learned Additional Public Prosecutor appearing for Respondent Nos.1 and 2 and the Learned Counsel for Respondent Nos.3 to 5.

2. The Petitioner/Detenuer's father has filed the present writ of Habeas Corpus Petition praying for passing of an order by this Court in directing the second respondent/The Inspector

of Police, M-3, Puzhal Police Station, Chennai - 66, to produce the body of his daughter, the Detenu viz., V.Sandhya, aged about 21 years from the illegal custody of respondent Nos.3 to 5.

3. Today, the Detenu V.Sandhya is produced before this Court. Upon an enquiry made by this Court, she had stated that fourth respondent is her husband and she got married with the fourth respondent on 25.01.2018, at Kudivada Church, West Godawari District, Andhrapradesh State and that she is a second year B.Sc.Bio-Chemistry student. Further, she had stated that her husband viz., the fourth respondent is a B.A. Decree Holder (English Literature) and he has lost his two legs in the train accident before his marriage in the year 2003.

4. The grievance of the Detenu V.Sandhya is that her father viz., the Petitioner is not accepting her marriage with fourth respondent, because of the reason that he has lost his two legs in the train accident and how he will be in a position to maintain her.

5. It is to be noted that the Detenu V.Sandhya is presently staying with the relative of fourth respondent in Andhrapradesh and she is not willing to go along with her father viz., the petitioner.

6. Also the fourth respondent viz., the Detenu's husband is present before this Court. On an enquiry made by this Court, he has informed that at present he is doing nothing.

7. Furthermore, the Detenu V.Sandhya has informed this Court that the fourth respondent, prior to his marriage with her, got acquainted with the wife of the Petitioner (viz., her mother) in a Church and latter she developed love affair with the fourth respondent. According to her, she married the 4th respondent out of her own love and affection and not based on any coercion or compulsion from any quarters.

8. Considering the fact that the Detenu V.Sandhya, aged about 21 years is produced before this Court and that she is a major and her husband fourth respondent, aged about 32 years, this Court permits both of them to take further course of action, according to their own whim and desire. As such this Court disposes of the present Habeas Corpus Petition, as nothing survives for any further adjudication.

Sd/--

Assistant Registrar(Audit)

//True Copy//

Sub Assistant Registrar

vsm
To

1.The Commissioner of Police,
Vepery, Chennai - 7.

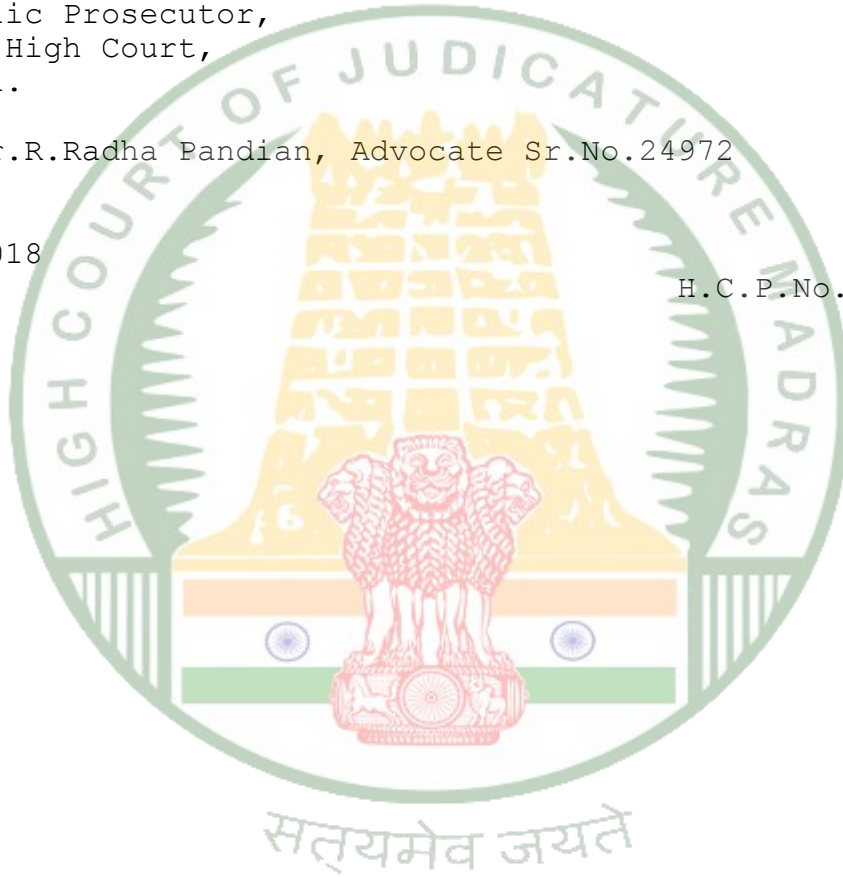
2.The Inspector of Police,
M-3, Puzhal Police Station,
Chennai - 66.

3.The Public Prosecutor,
Madras High Court,
Chennai.

+lcc to Mr.R.Radha Pandian, Advocate Sr.No.24972

SSI (CO)
sm:19.4.2018

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