

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2018

CORAM:

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

H.C.P.No.464 of 2018

Muneeswari

.... Petitioner

vs.

- 1.The Superintendent of Police,  
Office of the Superintendent Police,  
District Police Office,  
Sahtuvachery, Vellore District.
- 2.The Deputy Superintendent of Police,  
Office of the Deputy Superintendent of Police,  
Arakkonam, Vellore District.
- 3.The Inspector of Police,  
Nemili Police Station,  
Arakkonam,  
Vellore District.
- 4.Mr.Karthick

..... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of habeas corpus to direct the respondents herein to produce the victim Maheshwari, aged 23 years, daughter of Late Thangapandi Nadar, before this Court and to set her at liberty.

For Petitioner : Mr.R.Thamaraiselvan for  
Mr.S.Madhusudanan

For Respondents : R.Ravichandran, G.A., (Crl.side)

ORDER

(Order of the Court was made by R.HEMALATHA, J.)

This Habeas Corpus Petition has been filed under Article 226 of the Constitution of India, praying to direct the respondents to cause production of Maheshwari, aged 23 years, before this Court and set her at liberty.

2.The petitioner is the sister of the detainee, viz., Maheshwari, aged 23 years. The petitioner is present before this Court and she has been identified by her Counsel.

3.In the affidavit filed along with the petition, the petitioner has contended that her sister went missing from home on 19.01.2018 and the enquiry revealed that she married the fourth respondent herein, namely, Karthick. According to her, the 4<sup>th</sup> respondent is not allowing the petitioner to meet her sister and also torturing her sister.

4.The third respondent, viz., the Inspector of Police, Nemili Police Station, Arakkonam, Vellore District, has produced the detainee-Maheshwari, before this Court and she has been identified by the petitioner.

5.We interacted with detainee, viz., Maheshwari. She informed the Court that she got married to the fourth respondent on 21.1.2018, at Mahendravadi Amman Temple, Nimili Taluk, Vellore District and ever since the date of her marriage, she is residing with her husband. Further she has stated that she does not have any problem with her husband and that her mother-in-law is often picking up quarrel with her husband. At this juncture, her husband Karthick was called and we interacted with him. He informed this Court that he does not have any problem with his wife and that since the petitioner wants to give his wife (Maheshwari) in marriage to her husband's brother, who is aged about 42 years, she is pressurizing his wife to come back home.

6.It is pertinent to mention that the age of the detainee is 23 years and she is a major. Therefore, she can take her own decision and no instructions/guidance are required.

7.In the facts and circumstances, the present Habeas Corpus Petition is dismissed, as no further course of action is necessary.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

msh

To

- 1.The Superintendent of Police,  
Office of the Superintendent Police,  
District Police Office,  
Sahtuvachery, Vellore District.
- 2.The Deputy Superintendent of Police,  
Office of the Deputy Superintendent of Police,  
Arakkonam, Vellore District.
- 3.The Inspector of Police,  
Nemili Police Station,  
Arakkonam,  
Vellore District.
- 5.The Public Prosecutor,  
High Court, Madras

H.C.P.No.464 of 2018

GMI (CO)

RRK(02/05/2018)



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