

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 02.04.2018

Coram

THE HONOURABLE Mr. JUSTICE M.VENUGOPAL

AND

THE HONOURABLE Mrs. JUSTICE R.HEMALATHA

H.C.P.NO.602 of 2018

Babu ... Petitioner

Vs.

1. The Superintendent of Police,
SP Office,
Thiruvannamalai District

2. The Inspector of Police,
Kadaladi Police Station,
Thiruvannamalai District

3. M.Saravanan ... Respondents

Prayer: Petition filed under Article 226 of Constitution of India for issuance of a Writ of Habeas Corpus directing the 1st and 2nd Respondents to produce the daughter of the Petitioner, by name B.Meenakshi from the illegal custody of the 3rd Respondent before this Court.

For Petitioner : Mr.S.Sarath Chandran

For Respondents : Mr.R.Ravichandran
Govt. Advocate (Crl Side)

O R D E R

[Order of the Court was made by M.VENUGOPAL, J.]

Heard the Learned Counsel for the Petitioner and the Learned Government Advocate (Crl. Side) for the Respondents 1 to 3.

2. The Petitioner has preferred the instant Writ of Habeas Corpus Petition praying for passing of an Order by this Court by directing the Respondents 1 and 2 to produce his daughter by name B.Meenakshi from the illegal custody of the 3rd Respondent.

3. The Detenue, B.Meenakshi as well as the 3rd Respondent, viz., Saravanan are produced before this Court. At this juncture, this Court, has heard the Petitioner's girl, B.Meenakshi, who is present before this Court. According to her, she was born on 13.06.1996 and she is now 22 years old. The 3rd Respondent, is her husband and that she and her husband / 3rd Respondent got married to on February 20th, 2018 and the marriage was registered in the Office of Registrar of Marriages, Hubli, (South) and produced a Certificate of Registration of Hindu Marriage (under the Hindu Marriage Act, 1955) issued by the Government of Karnataka.

4. A perusal of the contents of the Certificate of Registration in question exhibits that the Petitioner's daughter, viz., Meenakshi's marriage with that of the 3rd Respondent, Saravanan was solemnized on 20.02.2018 and the same was registered on 22.03.2018 entered as HBL-HM1757-2017-18.

5. The Petitioner's daughter, namely, Meenakshi informs this Court that she voluntarily left her uncle's place (Moorthy's place) on 15.03.2018 from Kanthapalayam stating that she is visiting her grand mother's house situated in the next street and later got married to the 3rd Respondent and the 3rd Respondent is her husband. Added further, she has informed this Court that she belongs to Naidu Backward Community and the 3rd Respondent, her husband belongs to Scheduled Caste Community.

6. That apart, this Court, has also examined the 3rd Respondent, namely, M.Saravanan. He informed this Court that his Date of Birth is on 23.06.1996 and he is aged about 22 years and he got married to with the Petitioner's daughter, namely, Meenakshi in Hubli at Moorsavaramutt (Shridi Baba Temple) and his father is a Building Head Mason / Maistry and he is now working in Omitra Company (Corporate Company) pertaining to Electrical Work, House Maintenance etc., He also proceeded to state that he surrendered with his wife, Meenakshi on 29.03.2018 before Kadaladi Police Station, Tiruvannamalai District.

7. In substance, both the Petitioner's daughter, viz., Meenakshi, as well as the 3rd Respondent, her husband, informed this Court that they developed acquaintance right from their school days and both studied at Kandhapalayam Panchayat Union School.

8. In view of the fact that the Petitioner's daughter, Meenakshi as stated before this Court that she is presently living with the 3rd Respondent's father's house [Father-in-law House] at No.35, Pandt Layout, 5th H Cross, Near SMT College, Upramavu, Bangalore - 560043 and this Court taking note of the fact that the Petitioner's daughter, viz., Meenakshi as well as 3rd Respondent are majors, they are at liberty to choose their further course of action and viewed in that perspective, the Habeas Corpus Petition stands disposed of, since no further orders are required.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ssd

To

1. The Superintendent of Police,
SP Office,
Thiruvannamalai District
2. The Inspector of Police,
Kadaladi Police Station,
Thiruvannamalai District.
3. The Additional Public Prosecutor,
High Court, Madras

+1cc to Mr.S.SARATH CHANDRAN, Advocate, S.R.No. 24195

H.C.P.NO.602 of 2018

GP(CO)
TR(16/04/2018)

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