

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.VENUGOPAL
AND

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

H.C.P.No.645 of 2018

V.Vignesh Kumar
S/o.Venkatachalam

.. Petitioner

Vs

1.The Superintendent of Police,
Krishnagiri District - 635 001.

2.The Inspector of Police,
All Women Police Station,
Krishnagiri District - 635 001.

3.Ramamoorthy K.P.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the second respondent to produce petitioner's wife by name Russaini, aged about 25 years, before this Court and hand over to the petitioner and set her at liberty.

For Petitioner : Mr.T.A.Narendar

For Respondents: Mr.R.Ravichandran

Government Advocate [Crl.side]
[R1&R2]

M/s.Dass & Viswa Associates [R3]

O R D E R

[Order of the Court was made by R.HEMALATHA, J]

Thiru.V. Vignesh Kumar has filed the petition for issuance of a Writ of Habeas Corpus to produce the body of his wife by name Russaini, aged 25 years before this Court.

2. A perusal of the affidavit shows that the petitioner and the detinue Russaini married each other on 22.09.2017 and that their marriage was also registered. According to the petitioner, the third respondent, who is the father of his wife Russaini had illegally detained his wife against her wishes.

3. A notice was issued to the respondents and in response to the notice, the detinue Russaini was produced before this Court. We interacted with her. She informed this Court that she was born on 23.08.1993 and fell in love with Thiru.Vignesh Kumar, the petitioner herein. According to her, both of them studied in Archana Engineering College at Krishnagiri and that she married him on 04.09.2017 at Sri Karumalai Nadupalani Andavar Temple, Pochampalli, Krishnagiri District in the presence of her friends. Her specific contention is that she has committed a mistake by marrying the petitioner, who belongs to some other community. According to her, she cannot get along well into her husband (petitioner). She has filed a petition in M.O.P.No.30 of 2018 before the Sub-orindate Judge, Uthangarai, for annulment of the marriage and the same is pending.

4. The petitioner is present today and the learned counsel for the petitioner contended that the petitioner and the detinue were in love with each other for eight years and they also validly got married. In the instant case, it is to be noted that the detinue is a major and the petitioner is directed to work out his remedy with regard to his marital issues before the proper forum.

With the above observation, the Habeas Corpus Petition is disposed of.

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

gm

To

1.The Superintendent of Police,
Krishnagiri District - 635 001.

2.The Inspector of Police,
All Women Police Station,
Krishnagiri District - 635 001.

3.The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.V. Elango, Advocate sr 32461.

+1 CC to M/s. Dass and Viswa,Advocate sr 31599.

H.C.P.No.645 of 2018

PVS (CO)
SP(10/05/2018)