

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 08.06.2018

Coram

THE HONOURABLE Mr. JUSTICE M.VENUGOPAL
AND
THE HONOURABLE Mr. JUSTICE M.NIRMAL KUMAR

H.C.P.No.885 of 2018

A.Sakthivel

.. Petitioner

Vs.

1. The State rep. By
The Inspector of Police,
E-5, Arakandanallur Police Station,
Arakandanallur,
Villupuram - 605 752

2. V.Narayanasamy

3. N.Anjalai

..Respondents

Prayer: Petition filed under Article 226 of Constitution of India for issuance of a Writ of Habeas Corpus directing the 1st Respondent to produce the Petitioner's wife, viz., N.Anbulakshmi, aged 24 years before this Court and consequently direct her to be set at liberty.

For Petitioner : Mr.R.Sredhar

For Respondents : Mr.R.Prathap Kumar for R1
Additional Public Prosecutor
Mr.Devandran for R2 and R3

O R D E R

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

The Petitioner / Husband has preferred the instant Writ of Habeas Corpus Petition praying for passing of an order by this Court in directing the 1st Respondent to produce his wife, viz., N.Anbulakshmi before this Court and consequently, direct her to be set at liberty.

2. Heard the Learned Counsel for the Petitioner, Learned Additional Public Prosecutor for the 1st Respondent and the Learned Counsel for the Respondents 2 and 3.

3. Today, the father of the Detenue, viz., N.Anbulakshmi has produced her before this Court. This Court has interacted with the Detenue, viz., N.Anbulakshmi, who informed that her Date of Birth is on 03.03.1992 and that she is M.Sc Chemistry Degree Holder and that she is 26 years old. Further, she belongs to Scheduled Caste Community. She also stated that her marriage with the Petitioner took place on 22.03.2018 at Sri Balasubramaniam Thirukoil, Manmalai Village and her clear stand is that the Petitioner at the time of marriage had put the gold chain as Thali [Sacred Thread]. According to her, the Petitioner is a Post Graduate in M.E.Structural Engineering and that he is working in a Private Company as Site Engineer and earns a salary of Rs.10,000/- per month. She has also stated that she is the 3rd Daughter for her parents out of five girl daughters.

4. Also this Court interacted with the Petitioner / Husband, who has stated that his Date of Birth is on 12.10.1994 and he is 24 years old and that married the Detenue, viz., N.Anbulakshmi on 22.03.2018 by putting gold chain as Thali. He has further stated that he is working in Heaven Infra Project at Little Mount, Chennai and receives a salary of Rs.10,000/- [Rupees Ten Thousand only] per month. He further stated that he belongs to Vanniyar Community and now he is staying at the Office Room of his Company at Thomas Nagar in Little Mount, Chennai. He has also stated that he has elder brother, younger brother and elder sister.

In view of the fact that the Petitioner's wife, viz., N.Anbulakshmi [Detenue] has expressed her desire and willingness before this Court to go along with her husband, viz., the Petitioner, this Court taking note of the fact that the Detenue, viz., N.Anbulakshmi is aged 26 years and further being a major / adult, she is entitled to choose her own further course of action. Accordingly, the Habeas Corpus Petition stands disposed of.

Sd/-

Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

ssd

To

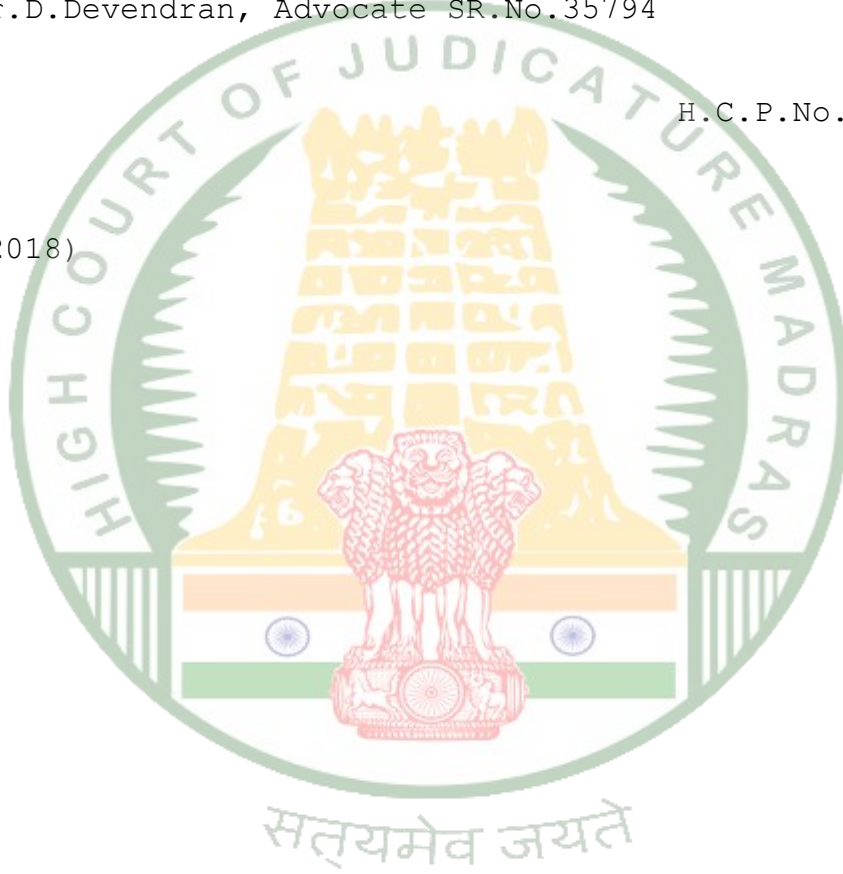
1. The State rep. By
The Inspector of Police,
E-5, Arakandanallur Police Station,
Arakandanallur,
Villupuram - 605 752

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.D.Devendran, Advocate SR.No.35794

H.C.P.No.885 of 2018

SKV(CO)
GN(20/06/2018)



WEB COPY