

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2018

CORAM

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN
AND
THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

H.C.P.No.2535 of 2018

Vengan
S/o.Natesagoundar

..Petitioner

Vs.

1.State Rep. by
The Inspector of Police,
Kambainallur Police Station,
Dharmapuri District.

2.Aristotle
S/o.Sivapragasam

..Respondents

Prayer: Petition under Article 226 of the Constitution of India to issue a Writ of HABEAS CORPUS, directing the first respondent to secure the body of the petitioner's daughter namely KAAVIYA aged about 22 years and to produce before this Court, who is under the illegal custody of the 2nd respondent.

For Petitioner :: Mr.A.Gokulakrishnan

For Respondents:: Mr.Ayyaparaj,
Additional Public Prosecutor for R1

Mr.P.Vijendran, for R2

ORDER

(Order of the Court was made by N. KIRUBAKARAN,J.)

When the matter is taken up today, the alleged victim, namely, KAAVIYA has been produced before this Court. She would state that she had completed her Graduate in Engineering and she got married to her classmate Aristatil, second respondent herein in the month of August 2018 and the marriage was registered at District Registrar Office, Chennai North Joint-I. Thereafter, they celebrated the marriage at Annai Party Hall, Mannady, Chennai. The same is proved by the marriage registration certificate dated 24.08.2018 issued by Marriage

Registrar, District Registrar Office, Chennai North Joint-I. Further, the educational certificates standing in the name of detainee Kaaviya would indicate that she was born on 16.10.1995 and therefore, she is a major aged about 22 years.

2.Though the parents of the detainee who are present before this Court wanted their daughter to come along with them, the detainee would categorically state that she would go only with her husband.

3.From the above, it is clear that the detainee Kaaviya is not under the illegal custody of the second respondent, as alleged by the petitioner and she is living along with her husband.

4.Recording the submission made by the detainee before this Court, the habeas corpus petition is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

pgp

To

1.The Inspector of Police,
Kambainallur Police Station,
Dharmapuri District.

Copy to

The Public Prosecutor,
High Court, Madras.

+1cc to Mr.A.Gokulakrishnan, Advocate Sr.83184

+1cc to Mr.P.Vijendran, Advocate Sr.82728

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vgi[co]
srg 24/01/2019