



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 26.03.2018

Coram :-

THE HON'BLE DR.JUSTICE S.VIMALA

and

THE HON'BLE MRS.JUSTICE T.KRISHNAVALLI

Habeas Corpus Petition (MD) No.156 of 2018

Ramkumar

... Petitioner

-vs-

1.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.

2.The Inspector of Police,
Thiruthankal Police Station,
Virudhunagar District.

... Respondents

Prayer: Habeas Corpus Petition is filed under Article 226 of Constitution of India, seeking a direction to the respondents to produce the detenu, namely, Santhanamari, W/o.Ramkumar, aged about 19 years, before this Honourable Court and set her at liberty.

For Petitioner : Mr.C.Bethanasamy
For Respondents : Mr.K.Dinesh Babu
Addl. Public Prosecutor

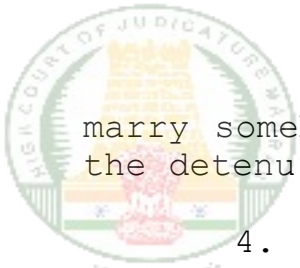
O R D E R

**(Order of the Court was made by
S.Vimala,J.,)**

This petition has been filed by husband, seeking direction to the respondents to produce his wife / detenu, namely, Santhanamari, aged about 19 years, before this Honourable Court and set her at liberty.

2. In the affidavit filed in support of the petition, the petitioner has stated that the detenu and himself fell in love with each other and subsequently, they married on 13.12.2017. While so, on 18.12.2017, she went to the market and thereafter, she did not return home. Even after hectic search, he was not able to find out the whereabouts of the detenu and therefore, he preferred a complaint before the second respondent police and since his complaint did not evoke any response, he is before this Court with the above prayer.

3. The petitioner, who is present before this Court, would submit that after his betrothal with the detenu, she wanted to



marry somebody else and immediately after 5th day of the marriage, the detenu ran away with the said person.

4. The learned Additional Public Prosecutor has produced the detenu before this Court with the help of Police.

WEB COPY

5. On being enquired with the detenu, she has stated that she has not been abducted by anyone and she had voluntarily left her matrimonial home. She has further stated that she is not inclined to go with the petitioner.

6. The petitioner has stated that still he is ready to accept his wife and wants to live with her. However, the detenu is very stubborn in not willing to accompany her husband.

7. Considering the fact that the detenu is major having attained the age of 19 years and also the fact that she is not inclined to accompany the petitioner, she is set at liberty to act as per her own wish. It is open to the petitioner to approach the appropriate forum for his legal remedies in accordance with law.

8. The Habeas Corpus Petition stands closed accordingly.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar

To:

1.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.

2.The Inspector of Police,
Thiruthankal Police Station,
Virudhunagar District.

3.The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

Ar

VB/SKN/RSK/SAR1/23.04.2018/2P/4C

Habeas Corpus Petition (MD) No.156 of 2018

26.03.2018