



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 15.02.2018

Coram :-

THE HON'BLE DR.JUSTICE S.VIMALA

and

THE HON'BLE MRS.JUSTICE T.KRISHNAVALLI

Habeas Corpus Petition(MD) No.25 of 2018

M.Rajadurai

... Petitioner

-vs-

1.The Superintendent of Police,
Pudukottai District

2.The Deputy Superintendent of Police,
Aranthangi,
Pudukottai District.

3.The Inspector of Police,
Aranthangi Police Station,
Pudukottai District.

4.Rajendran

5.Yogambal

6.Balaji @ Saravanan

... Respondents

Prayer: Habeas Corpus Petition is filed under Article 226 of Constitution of India, seeking a direction to the respondents to produce the body of the petitioner's wife namely, Udhayashree, aged 19 years, before this Court and set her at liberty.

For Petitioner : Mr.A.K.Manickam

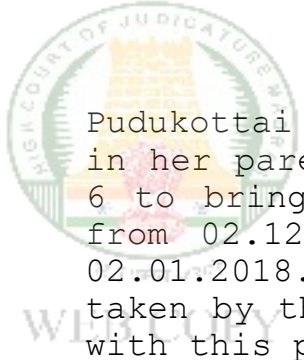
For Respondents : Mr.C.Ramesh for R1 to R3
Addl. Public Prosecutor

O R D E R

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

The petitioner, who is the husband of the detenu, namely, Udhayashree, aged 19 years, has moved this petition for a direction to the Respondents to produce her before this Court and set her at liberty.

2. According to the petitioner, the marriage between himself and the detenu had taken place in the month of October 2017 at



Pudukottai District. Thereafter, the petitioner herein left his wife in her parental home and when he again went to the respondents 4 to 6 to bring his wife, they stated that his wife was found missing from 02.12.2017. Therefore, the petitioner lodged a complaint on 02.01.2018. Even thereafter, since no effective steps have been taken by the respondent police, the petitioner is before this Court with this petition.

3. The learned Additional Public Prosecutor has produced the detenu before this Court through the respondent police.

4. The petitioner, who is present before this Court, would state that the detenu is his wife and he is ready and willing to live with her.

5. On being enquired, the detenu would state that the marriage is a forced marriage and she is not willing to continue the relationship with the petitioner herein. She has also stated that her parents also did not agree for her separation from the petitioner and therefore, she is taking asylum in her friend's house and she may be permitted to lead her life on her own way. The petitioner seems to be a person working in Singapore and came to India only to resolve these issues. However, on hearing the detenu, the petitioner has also stated that it is not advisable to waste his time any further. Under such circumstances, the detenu, who has attained majority, is set at liberty. Accordingly, the Habeas Corpus Petition is closed with liberty to the petitioner to work out his remedy in the manner known to law.

Sd/-

Assistant Registrar(C.O)

/True Copy/

Sub-Assistant Registrar

To:

1. The Superintendent of Police,
Pudukottai District
 2. The Deputy Superintendent of Police,
Aranthangi, Pudukottai District.
 3. The Inspector of Police,
Aranthangi Police Station,
Pudukottai District.
 4. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.
- +One cc to Mr.M.Suresh, Advocate, SR.No.49069
RR
RL/6C/2P/CVC/SAR3/5/3/2018

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