



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated:20.03.2018

Coram :-

THE HON'BLE DR.JUSTICE S.VIMALA

and

THE HON'BLE MRS.JUSTICE T.KRISHNAVALLI

Habeas Corpus Petition No.360 of 2018

N.Kasi

... Petitioner

-vs-

1. The Superintendent of Police
Sivagangai @ Sivagangai District

2. The Inspector of Police
Taluk Police Station,
Sivagangai, Sivagangai District

3.Parameswari

4.Varathan

5.Jothimani

6.Ramar

... Respondents

Prayer: Habeas Corpus petition under Article 226 of the Constitution of India is filed praying for issuance of a writ of Habeas Corpus, to direct the respondents to produce the body of the petitioner's wife, the detenu namely, Banupriya, W/o.N.Kasi, (aged 23 years old) before this Court and set her liberty.

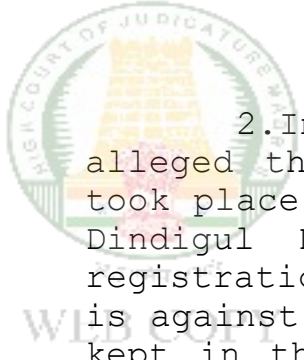
For petitioner : Mr.N.Sathish Babu

For respondents : Mr.K.Dinesh Babu for R1 & R2
Addl. Public Prosecutor

O R D E R

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

This petition has been filed by the petitioner for a direction to the respondents 1 and 2 to secure his wife/detenu, namely, Banupriya, W/o.N.Kasi, aged about 23 years.



2. In the affidavit filed in support of this petition, it is alleged that the marriage between the detenu and the petitioner took place on 11.12.2017 at Arulmigu Mariyamman Kovil, Nilakottai, Dindigul District and in support of the same, the marriage registration certificate is filed. While so, since the marriage is against the wishes of the parents of the detenu, the detenu was kept in the custody of her parents and since the whereabouts of the detenu was not known, the petitioner preferred a complaint to the respondents 1 and 2. Since no effective steps were taken on the said complaint, the petitioner is before this Court with this petition.

3. Today, the learned Additional Public Prosecutor has produced the detenu through the respondent police.

4. On being enquired, the detenu would submit that she had married the petitioner herein and now, they were living together. The learned Additional Public Prosecutor, on instructions, would submit that both the petitioner and the detenu are living together.

5. Recording the said statement, this Habeas Corpus Petition is closed.

Sd/-
Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police
Sivagangai @ Sivagangai District
2. The Inspector of Police
Taluk Police Station,
Sivagangai, Sivagangai District
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

+ 1 cc TO Mr.N.Sathish Babu , Advocate in SR No. 56316

RR
AE/JC/SAR3/16.04.2018/2P/5C