



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.02.2018

WEB COPY

CORAM:

**THE HONOURABLE DR.JUSTICE S.VIMALA
AND
THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI**

H.C.P. (MD) No.49 of 2018

S.Vadivel Raj

: Petitioner

Vs

1. The Superintendent of Police,
Virudhunagar District.

2. The Inspector of Police,
All Women Police Station,
Virudhunagar District.

3. Tata Consultancy Limited
Through its Director
Nirmal Building,
9th Floor, Nariman Point,
Mumbai - 400 021.

4. G.Thanga Thirupathi

: Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the first and second respondents to produce the person or body of the detainee namely Abinaya aged 26 years, wife of the petitioner Vadivelraj from the illegal detention of the fourth respondent before this Court and set her at liberty.

For Petitioner

: Mr.Veera Kathiravan
Senior Counsel for
M/s.Veera Associates

For R1 and R2

: Mr.C.Ramesh
Additional Public Prosecutor

For R4

: Mr.N.Dilipkumar

**ORDER****[Order of the Court was made by S.VIMALA, J.]**

This petition has been filed by the husband of the detinue seeking direction to the respondents 1 and 2 to produce the person or body of the detinue viz., Abinaya, aged about 26 years, the wife of the petitioner, from the alleged illegal detention of the fourth respondent, who is the father of the detinue.

2.The petitioner/husband has stated in his petition that the marriage between himself and the detinue Abinaya, the daughter of the fourth respondent, was solemnized on 15.11.2015 at Sri Ram Sri Lakshmi Thirumana Mandabam, Virudhunagar. It is stated to be a love marriage. According to the husband, the wife deserted him at Madurai Railway Station during January, 2017 and thereafter, he was taking honest efforts to take her back, but it was not successful. Thereafter, there had been attempt to mediate the issue and the allegation is that the fourth respondent did not allow his daughter to have any talk either with the petitioner/husband or with the petitioner's parents. Apprehending danger to the life of the detinue while being in the custody of the fourth respondent, the petitioner herein has filed the Habeas Corpus Petition seeking appropriate direction.

3.The second respondent has filed a counter affidavit stating that as per the instructions given by the third respondent, the detinue is employed Overseas at Manchester. The counter affidavit gives the complete Overseas address along with current working location and mail ID of the employee/detinue.

4.Under such circumstances, the apprehension of the petitioner that the life of the detinue is at risk and danger at the hands of the fourth respondent, there is no basis and there is no question of illegal custody of the detinue.

5.Recording the counter affidavit filed by the second respondent, the Habeas Corpus Petition is closed and as the detinue is a major, she is set at liberty.

Sd/-
Assistant Registrar (W)

/True Copy/

Sub Assistant Registrar



1. The Superintendent of Police,
Virudhunagar District.

2. The Inspector of Police,
All Women Police Station,
Virudhunagar District.

+ 1 CC TO M/s.VEERA ASSOCIATES, IN SR No. 46617

+ 1 CC TO Mr.N.DILIP KUMAR, ADVOCATE IN SR No. 46494

RJ2

TE/SV-MMS/SAR-3 : 19/02/2018 : 3P/5C

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