



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.02.2018

CORAM:

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

HCP [MD].No.52 of 2018

M.Kalaiarasan : Petitioner
Vs.

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

2. The Inspector of Police,
Manikandam Police Station,
Trichy District.

3.Govindan

4. The Inspector of Police,
K.K.Nagar Police Station,
Trichy District.

: Respondents

(R4 impleaded vide court order dated 12.02.2018
made in Cr1.MP(MD).No.984/2018

PRAYER: Habeas Corpus Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Habeas Corpus to direct the second respondent to produce the body or person of the petitioner's wife namely Arthi, W/o.Govindan, aged about 21 years before this Court and set her at liberty.

For Petitioner	: Mr.M.Subash Babu
For R1 and R2	: Mr.C.Ramesh
	Additional Public Prosecutor
For the Detenue	: Mr.A.Mohan

ORDER

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

The petitioner has filed this Habeas Corpus Petition stating that he was in love with one Arthi for a period of three years and



as the parents opposed for the marriage, they ran away from their respective families and thereafter, they were secured by the police and handed over to their respective parents. It is stated that the love was growing between both of them, inspite of their separation.

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2.The third respondent was causing harassment to her daughter and therefore, Arthi went out of the custody of the third respondent and he married the petitioner on 05.11.2017 at Trichy Murugan Temple. The marriage was also registered before the Sub Registrar, Sathanur on 09.11.2017. After the marriage, the detainee Arthi left the petitioner and went to the house of the third respondent. The detainee was contacting the petitioner till 23.11.2017 and thereafter, the mobile phone became switched off, which made the petitioner to file this Habeas Corpus Petition.

3.The detainee was produced before this Court today. On enquiry, the detainee would submit that there was love affairs between herself and the petitioner and even though the marriage was registered and that registration was out of compulsion and thereafter, the parents interfered and got them separated.

4.Now, the detainee claimed that she has married one Pandiarajan and she is leading a marriage life with Pandiarajan and out of marital life, she got conceived and she is pregnant of three months duration.

5.Under such circumstances, recording the submission made by the detainee, the Habeas Corpus Petition is closed. It is open to the detainee to decide the further course of action, as the detainee herself claims that she is aged more than 18 years.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar

To

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

2.The Inspector of Police,
Manikandan Police Station,
Trichy District.

<https://hcservices.ecourts.gov.in/hcservices/>

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



Madurai.

4. The Inspector of Police,
K.K.Nagar Police Station,
Trichyi District.

Rj2

AE/SKN RSK/SAR1/01.03.2018/3P/5C

ORDER MADE IN
HCP . [MD] . No.52 of 2018
12.02.2018