



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

and

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

H.C.P. (MD) No.1157 of 2018

Cheran

... Petitioner

-vs-

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

2.The Inspector of Police,
Thenkarai Police Station,
Periyakulam,
Theni District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, to direct the respondents 1 & 2 to produce the person or body of the H.Surya, aged about 28 years, the wife of the petitioner herein and set her at liberty.

For Petitioner : Mr.S.Saravanakumar
For Respondents 1 & 2 : Mr.K.Dinesh Babu
Additional Public Prosecutor

O R D E R

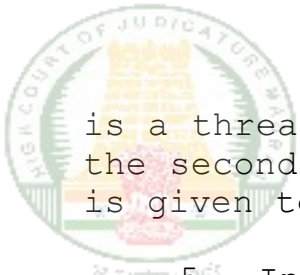
[Order of the Court was made by M.M.SUNDRESH, J.]

The petitioner, who is the husband of the detinue, filed this Habeas Corpus Petition, seeking custody of the detinue.

2.The detinue has informed that she has left the matrimonial home 10 days after the marriage.

3.Considering the differences between the petitioner and the detinue, who are very young and recently married, we asked them to have a frank discussion. However, the detinue is strong in her stand. The petitioner has informed us, after persuasion by his counsel, that after the marriage certificate is obtained he would give divorce in favour of the detinue. The said submission is recorded.

4.We do not find any illegal detention involved. Though the detinue also agrees to co-operate in getting the marriage certificate on the premise that the petitioner would facilitate in getting dissolution of marriage, it is submitted by her that there



is a threat extended to her. In such view of the matter, we direct the second respondent to see to it that adequate police protection is given to her as and when required.

5. In view of the above, this Habeas Corpus Petition is closed.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

- 1.The Superintendent of Police,
Theni,
Theni District.
- 2.The Inspector of Police,
Thenkarai Police Station,
Periyakulam,
Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.S.Saravanakumar, Advocate Sr.No.84154

SJ

VB/RSK/SAR4/24.10.2018/2P/5C

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