



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.09.2018

CORAM:

**THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

H.C.P. (MD) No.1237 of 2018

G.Palanisamy

: Petitioner

Vs.

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

2. The Inspector of Police,
Aaviyur Police Station,
Virudhunagar District.

3. Palpandi

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, directing the 2nd respondent to produce the body or person of the petitioner's wife, Kanmani, aged about 23 years, daughter of Palpandi, before this Court from the illegal custody of the 3rd respondent and his henchmen and set her at liberty.

For Petitioner : Mr.A.Prasanna Rajadurai
For Respondents : Mr.K.Dinesh Babu
Additional Public Prosecutor
for R.1 & R.2

ORDER

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

Claiming to be the husband of the detainee, namely, Kanmani, the present Habeas Corpus Petition has been filed by the petitioner.

2. The detainee is present before us today. We asked the detainee on the factum of marriage, coupled with her desire to go with the petitioner. While denying the factum of the marriage, the detainee has told us in clear terms that she is not willing to go with the petitioner. Even we repeat the question in the presence of both the



petitioner and the detenue, she struck to her stand. Thereafter, we asked the petitioner to leave and once again repeated the question. The answer is the same. Thus, we came to the conclusion that the detenue is very clear and firm in her view.

3. Though the learned Counsel for the petitioner submitted that the detenue and the petitioner may be permitted to talk to each other, as the detenue has declined to talk to him, we are not inclined to undertake the said exercise.

4. We do not see any no illegal custody or detention involved and hence, we are setting the detenue at liberty. This Habeas Corpus Petition is closed accordingly.

Sd/-

Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The Superintendent of Police,
Virudhunagar District,
Virudhunagar.
2. The Inspector of Police,
Aaviyur Police Station,
Virudhunagar District.

+ 1 CC TO Mr.M.VAIKKAM KARUNANITHI, ADVOCATE IN SR No. 82182

GK

TE/RSK/SAR-1 : 24/09/2018 : 2P/4C

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