



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.11.2018

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH
AND
THE HONOURABLE MRS.JUSTICE R.THARANI

H.C.P. [MD] .No.1525 of 2018

P.Karthick : Petitioner

Vs.

1.The Commissioner of Police,
Trichy City,
Trichy.

2.The Inspector of Police,
Srirangam Police Station,
Trichy City.

3.The Inspector of Police,
All Women Police Station,
Srirangam,
Trichy City.

4.Mariappan
5.Venkatesan
6.Govindaraj

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to secure the detenu Malathi, W/o.P.Karthick, aged about 20 years from the illegal custody of the respondents 4 to 6 and produce her before this Court and set her at liberty.

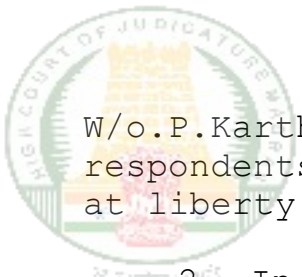
For Petitioner : Mr.T.Lenin Kumar

For R-1 to R-3 : Mr.B.Neelakandan,
Additional Public Prosecutor

O R D E R

[Order of the Court was made by **R.SUBBIAH, J.**]

The present Habeas Corpus Petition has been filed by the husband of the detenu, seeking a Writ of Habeas Corpus, directing the respondents 1 and 2, to secure the detenu Malathi,



W/o.P.Karthick, aged about 20 years from the illegal custody of respondents 4 to 6 and produce her before this Court and set her at liberty.

2. In the affidavit filed in support of this Habeas Corpus Petition, it has been averred that the said Malathi fell in love with the petitioner. On 15.10.2018, the petitioner married her in a temple at Trichy. When this came to the knowledge of respondents 4 to 6, on 16.10.2018, they lodged a complaint before the third respondent. Hence, the third respondent called the said Malathi/detenu for enquiry. After enquiry, the third respondent forcibly handed over her to the sixth respondent.

3. According to the petitioner, the detenu Malathi ie., his wife is aged about 20 years and now she is under the illegal custody of respondents 4 to 6. Hence, he has come up with the present Habeas Corpus Petition.

4. Today, when the Habeas Corpus Petition was taken up for consideration, the detenu was produced before this Court. When we enquired the detenu, on enquiry, she has stated that she voluntarily married the petitioner and presently, she is under the illegal custody of her father and mother and she expressed her willingness to go along with the petitioner.

5. In view of the above, since the detenu is a major and she is also willing to go along with the petitioner, this Court has no other alternative except to allow her to take her own decision.

6. Recording the said submission made by the detenu, this Habeas Corpus Petition is closed. The detenu is allowed to go along with the petitioner. The second respondent is directed to give police protection to the petitioner and the detenu till they reach their home at Trichy.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS-I)

To

1.The Commissioner of Police,
Trichy City,
Trichy.

2.The Inspector of Police,
Srirangam Police Station,
Trichy City.



3.The Inspector of Police,
All Women Police Station,
Srirangam,
Trichy City.

WEB COPY

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

+1cc to Mr.T.Lenin Kumar, Advocate, Sr.No.94656.

ORDER MADE IN
H.C.P (MD) NO.1525 OF 2018
08.11.2018

pm

RAM-KK/RP/SAR 1/04.12.2018/3P/6C