

IN THE HIGH COURT OF JUDICIATURE AT MADRAS

DATED : 02.12.2019

CORAM :

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

H.C.P.No.757 of 2019

Shanmugaraman

..Petitioner

Vs.

1.The State rep. by

The Senior Superintendent of Police,
Orleanpet Police Complex,
Puducherry,
Puducherry U.T.

2.The State rep. by

The Inspector of Police,
Mettupalaiyam Police Station,
Puducherry,
Puducherry U.T.

3.Ramadass

..Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, seeking to issue a Writ of Habeas Corpus, directing the respondent herein to produce the body and person of the detainee, by name, Suguna, aged about 24 years before this Court and set her at liberty.

For Petitioner : Mr.D.Arun

For Respondent Nos.1 & 2 : Mr.D.Bharathachakravathy
Public Prosecutor (Pondicherry)

For Respondent No.3 : Mr.A.Devnarendran

ORDER

(Order of this Court was made by R.SUBBIAH,J.)

This Habeas Corpus Petition has been filed for a direction to produce the detainee, namely, Suguna, aged about 24 years, before this Court and set her at liberty.

2. The petitioner is the husband of the detainee, namely, Suguna, aged about 24 years. The petitioner has stated in the affidavit filed in support of this petition that, both the detainee and the petitioner belong to different community and

they fell in love with each other. When their love affairs came to be known by the parents of the detainee, they did not accept the same and hence, the detainee came along with the petitioner on her own accord. On 07.02.2019, both of them got married in the presence of their friends and well wishers and the same was also registered before the Marriage Registrar at Cuddalore, Cuddalore District.

3. After the marriage, the detainee went to her parent's house and was residing there. However, the parents of the detainee came to know about their marriage and they insisted her to marry some other person within their own community. When the petitioner has made an attempt to meet the detainee, all his attempts ended in vain. Therefore, on 06.04.2019, he lodged a complaint before the second respondent police. Since the police has not taken any action, the petitioner is before this Court with the present Habeas Corpus Petition.

4. Today, when the petition is taken up for consideration, the detainee is present and the third respondent is also present, but the petitioner is not present before this Court.

5. The detainee submitted before this Court that the marriage conducted between her and the petitioner on 07.02.2019, was against her wish and also submitted that she was not threatened by her parents. Further, she has filed O.S.No.40 of 2019 before the Family Court, Pondicherry, to declare that the marriage conducted between them, on 07.02.2019, is null and void.

6. In view of the submission made by the detainee, nothing survives for further adjudication in this Habeas Corpus Petition. Further, there is no allegation of illegal detention by the parents of the detainee. Hence, the Habeas Corpus Petition stands closed. The petitioner is directed to work out his remedy before the Family Court, Pondicherry, where suit is pending.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

1. The Senior Superintendent of Police,
Orleanpet Police Complex,
Puducherry,
Puducherry U.T.

2. The Inspector of Police,
Mettupalaiyam Police Station,
Puducherry,
Puducherry U.T.

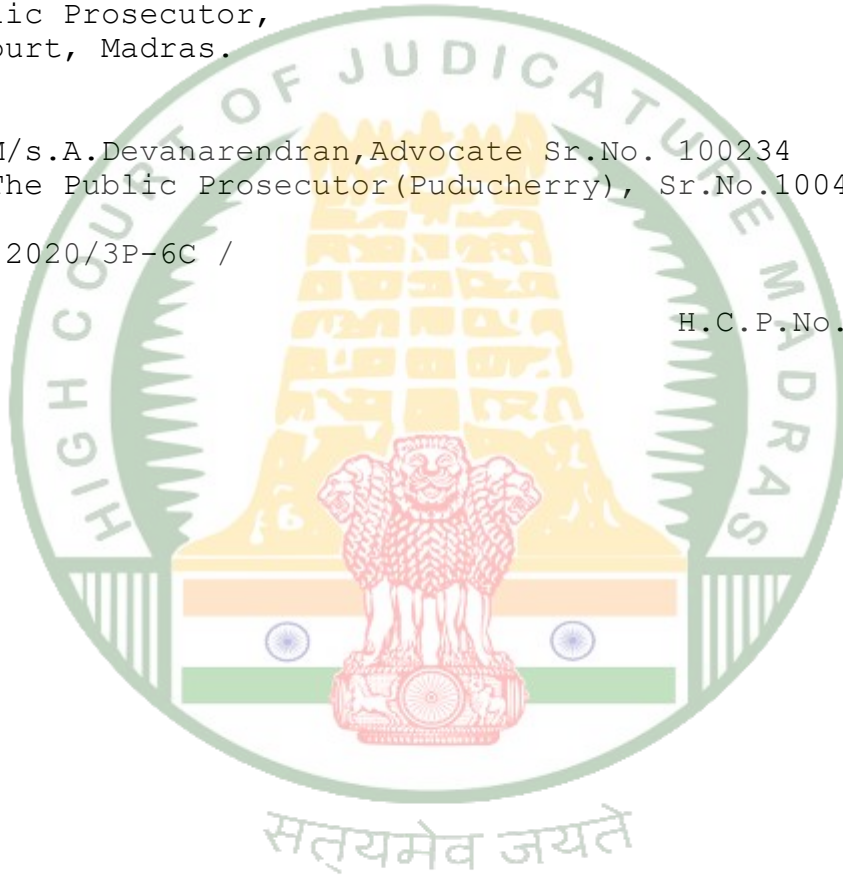
3. The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.A.Devanarendran, Advocate Sr.No. 100234

+1 cc to The Public Prosecutor (Puducherry), Sr.No.100474

AKM/21.01.2020/3P-6C /

H.C.P.No.757 of 2019



WEB COPY