

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.08.2019

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
AND
THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

H.C.P.NO.1643 OF 2019

P.Rajesh kumar .. Petitioner

Vs

1. The Inspector of Police,
k-9, Thiru -vi-ka Nagar Police Station,
Thiru-vi-ka Nagar, Chennai - 600 082.

2. V.G.Srinivasan ... Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of habeas corpus, to direct the respondent to cause the production of the body of petitioner's wife namely S.Meena D/o.V.G.Srinivasan, aged about 21 years, before this Court and set her at liberty.

For Petitioner ... Mr.R.Sankarasubbu
for Mr.M.Ravi Bharathi

For R1 ... M/s.Saradha Devi,
Government Advocate (Crl.Side)

ORDER

(Order of the Court was delivered by M.M.SUNDRESH, J.)

The petitioner is the husband of the detainee - Mrs.S.Meena. Alleging that his wife is in illegal custody of the 2nd respondent, who is none other than her father, the petitioner has come up with this petition.

2. The detainee and her father were present on the last occasion (i.e., 19.08.2019) and we have heard in detail. As the petitioner was not available, the matter stands posted today. Once again, we had a lengthy interaction with the petitioner, his father, detainee and her father. From the discussions made, particularly, with the petitioner and the detainee, it appears that the marriage has not consummated. Both the parties do not

want to go through with the marriage. The petitioner has already filed a petition in H.M.O.P.No.3198 of 2019 on the file of the VII Additional Judge, Family Court, Chennai, for divorce. Thus, we direct the learned Additional Judge to dispose of the matter as expeditiously as possible by keeping in mind that the marriage has not been consummated and both the detinue and the petitioner are willing to go for divorce. As we do not find any illegal detention involved, this petition deserves to be dismissed.

3. In the result, this Habeas Corpus Petition is dismissed with the above directions.

Sd/-
Assistant Registrar(Insp.Cell)

//True Copy//

Sub Assistant Registrar

kmk/msrm

To

1. The Inspector of Police,
k-9, Thiru -vi-ka Nagar Police Station,
Thiru-vi-ka Nagar, Chennai - 600 082.
2. The Joint Secretary to Government,
Public (Law and Order) Department,
Secretariat, Fort St. George,
Chennai 600009.
3. The Public Prosecutor,
High Court of Madras,
Madras.

+2cc to M/S.M.Ravi Bharathi, Advocate, S.R.No.70776

H.C.P.No.1643 of 2019

RJI (CO)
CS/03/10/2019

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