

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2019

CORAM:

THE HONOURABLE MR.JUSTICE C.T.SELVAM
and
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

H.C.P.Nos.2351 and 2444 of 2017

H.C.P.No.2351 of 2017

M.Umapathy

S/o.Madhava Pillai

...Petitioner

-Vs-

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

2.The Inspector of Police,
H1 Otteri Police Station,
Kanchipuram District,
Kanchipuram.

...Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents to produce the body of Pavithran S/o.Umapathy, aged about 19 years, before this Court and set him at liberty.

H.C.P.No.2444 of 2017

M.Raghu

S/o.Munirathinam

...Petitioner

-Vs-

1.The Commissioner of Police,
Chennai.

2.The Inspector of Police,
Ambattur Police Station,
Ambattur.

...Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the

respondents to produce the body of Monisha D/o.M.Raghu, aged about 20 years, before this Court and set her at liberty.

Appearance:

Petitioner : Mr.M.Selvam [H.C.P.No.2351/2017]
Mr.T.K.Saravanan [H.C.P.No.2444/2017]
Respondents : Ms.S.Thankira, Government Advocate
[Crl.side]
[in both H.C.Ps.]

C O M M O N O R D E R

[Order of the Court was made by C.T.SELVAM, J]

This Court, under orders dated 02.02.2018, has passed the following the order:

'The detenu Pavithiran and his parents, Monisha and her parents are present. In continuation of our earlier interaction we had interaction with the detenu and Monisha. They admitted that they fell in love and they stayed together for 52 days in Kolkatta and Coimbatore as husband and wife. It is also admitted by the detenu that during such time he has also without any formality tied thali. Both their parents were present and detenu's father has no objection for performing the regular marriage of the detenu with Monisha and Monisha's parents also agreed for that. However, the detenu's father submitted that he has his niece in the marriageable age. Their marriage has to be completed. Therefore, seeks sometime for performing marriage.

Recording the above, this Court reserves the order. '

Today, the matters are listed under the caption 'for being spoken to'.

2. H.C.P.No.2351 of 2017 has been filed seeking a direction to respondents to produce the detenu Pavithran S/o.Umapathy, aged about 19 years, before this Court and set him at liberty.

3. H.C.P.No.2444 of 2017 has been filed seeking a direction to respondents to produce the detenu Monisha D/o.M.Raghu, aged about 20 years, before this Court and set her at liberty.

4. Heard learned counsel on either side and learned Government Advocate [Crl.side] for respondents.

5. Detenu Monisha and her parents are present. Learned counsel for petitioner in H.C.P.No.2351 of 2017 is present.

However, the petitioner or his family members are not present. We have interacted with detainee Monisha who suspects that the detenu Pavithran and his parents are trying to avoid her.

Being of the view that no further orders are necessary and the detainee Monisha would have to work out her rights before the appropriate forum, these Habeas Corpus Petitions shall stand closed.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

gm

To

- 1.The District Superintendent of Police,
Kanchipuram District,
Kanchipuram.
- 2.The Inspector of Police,
H1 Otteri Police Station,
Kanchipuram District,
Kanchipuram.
- 3.The Commissioner of Police,
Chennai.
- 4.The Inspector of Police,
Ambattur Police Station,
Ambattur.
- 5.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Selvam, Advocate, S.R.No. 8430
+1cc to Mr.T.K.Saravanan, Advocate, S.R.No. 9716

H.C.P.Nos.2351 and 2444 of 2017

RK(CO)
GN(04/02/2019)