

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2019

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice RMT. TEEKAA RAMAN

H.C.P. No. 2144 of 2019

Rani @ Nagarani

... Petitioner

-vs-

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

2. The Inspector of Police,
All Women Police Station,
Sriperumbadur, Sriperumbadur Taluk,
Kancheepuram District.

... Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus directing the respondents herein to produce the person and body of petitioner's husband Govindarajan, aged about 31 years, before this Court and set him at liberty forthwith.

For Petitioner : Mr.D.Baskar

For Respondents : Mr.R.Prathap Kumar
Addl. Public Prosecutor

ORDER

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

Seeking a direction to the respondents herein to produce the person and body of petitioner's husband Govindarajan, aged about 31 years before this Court and to set him at liberty forthwith, the present Habeas Corpus Petition has been filed.

2. Today, both the petitioner and the detenu are present. While the petitioner reiterates that she is the legally wedded wife of the detenu, the detenu states that it is not factually

correct. According to him, the petitioner's first marriage has not been dissolved and he has not married the petitioner. This involves disputed question of fact and the detenu is not ready to live with the petitioner.

3. In such view of the matter, this habeas corpus petition stands closed, giving liberty to the petitioner to approach the appropriate Family Court since the question of fact is touching upon the marital status of the parties.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

mmi/ssm

To

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

2.The Inspector of Police,
All Women Police Station,
Sriperumbadur, Sriperumbadur Taluk,
Kancheepuram District.

3.The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.R.Thamarai Selvan, Advocate sr 90087.

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NMI (CO)
SP(25/11/2019)

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