

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2019

CORAM

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

H.C.P.No.2373 of 2019

Saravanavel Pandian @ Selvakumar

S/o.Gurunathan

..Petitioner/Husband of the Detenue

Vs.

- 1.State represented by
The District Superintendent of Police,
Office of the District Superintendent of Police,
Dharmapuri.
- 2.The Inspector of Police,
A.Pallipatti Police Station,
Dharmapuri District.
- 3.Selvam
S/o.Pavun Kasi
- 4.Jothi
W/o.Selvam
- 5.Naveen
S/o.Amaresan
- 6.Senthil
S/o.Paunkasi
- 7.Latha
W/o.Amaresan

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing respondents police to produce the body of the detenue viz., Lekha, aged 19 years, before this Court and set her at liberty.

For Petitioner : Mr.R.Kamaraj

For Respondents : Mr.R.Prathap Kumar

Additional Public Prosecutor

[R1 and R2]

Mr.Durai Gunasekaran [R3 to R7]

ORDER

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

Petitioner, who is the husband of the detenue, viz., Lekha, aged 19 years, has filed this petition seeking a direction to respondents to cause production of the detenue before this Court and set her at liberty.

2. Heard learned counsel for petitioner and learned Additional Public Prosecutor appearing for respondents 1 and 2 and learned counsel for respondents 3 to 7.

3. Learned counsel for petitioner submits that there is a love affair between the detenue and the petitioner, the detenue eloped with the petitioner and both of them got married on 26.08.2019 at Sivan Temple, Velliayangiri Hills, Coimbatore. In such a situation, petitioner's mother lodged a complaint before the respondent police as if the petitioner kidnapped the detenue. During enquiry by police, the detenue expressed her willingness to go along with the petitioner. However, finally the detenue was taken by her parents. Hence, the present petition has been seeking the aforesaid relief.

4. Today, the detenue was produced before this Court. Petitioner is also present. We enquired the detenue. The detenue stated that since her mother is scolding her frequently, she left home and stayed in her friend's house. She has also stated that there was no marriage between her and the petitioner, that she has got nothing to do with the petitioner and the entire averments made by petitioner are false.

5. When the detenue, who is a major, specifically states that she has no connection with the petitioner, this Court has no other option except to close this petition.

Accordingly, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

- 1.The District Superintendent of Police,
Office of the District Superintendent of Police,
Dharmapuri.
- 2.The Inspector of Police,
A.Pallipatti Police Station,
Dharmapuri District.
- 3.The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.R.Kamaraj, Advocate Sr.No. 103436
+1 cc to M/s.Durai Gunasekaran, Advocate Sr.No. 103875

AKM/24.01.2020/3P-6C /

H.C.P.No.2373 of 2019



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