

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2019

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

H.C.P.No.2959 of 2018

N.Ilankathir Selvan
S/o.Nadesan

.. Petitioner

..Vs..

1.Station House Officer,
Nedungadu Police Station,
Karaikal.

2.Selvaraj

3.The Inspector of Police,
Nagapattinam Police Station.

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Habeas Corpus to direct the first respondent to produce the body of the person of the detainee/petitioner's wife S.Anirutha D/o.Selvaraj, who is aged about 26 years, before this Court and thereby set her at liberty.

For Petitioner : Mr.M.Jaikumar

For Respondents :Mr.D.Bharatha Chakravarthy
Public Prosecutor (Pondy) [R1]

Mr.K.Balu [R2]

Mr.R.Prathap Kumar,
Additional Public Prosecutor [R3]

O R D E R

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

The petitioner is the husband of the detinue, namely, S.Anirutha, aged about 26 years and he has filed the present Habeas Corpus Petition to produce his wife/detinue, who is in illegal detention of the second respondent.

2. Heard the learned counsel for the petitioner, the learned Public Prosecutor (Pondicherry) for the first respondent, the learned counsel for the second respondent and the learned Additional Public Prosecutor for the third respondent.

3. Petitioner has stated that he fell in love with the detinue and both of them got married on 28.10.2016 at Durgai Amman Koil, Melkalathur Village, Vellore District, without the knowledge of their respective families. The marriage has been registered. After their marriage, both the petitioner and the detinue returned to their respective home and are living separately. While so, the marriage of the petitioner and the detinue came to the knowledge of the second respondent/father of the detinue and he kept the detinue under illegal custody. All the attempts made by the petitioner to meet his wife/detinue have ended in futile. Having no other alternative remedy, the petitioner preferred a complaint and the present Habeas Corpus Petition.

4. Today, the detinue has been produced before this Court. On enquiry, she has stated that she is aged 26 years and left the maternal home on her own accord and married the petitioner. She has also expressed her willingness to go along with the petitioner/her husband. As the detinue is a major, she is at liberty to act as per her wishes and accordingly, she is permitted to go along with the petitioner/her husband.

The Habeas Corpus Petition shall stand closed.

gm

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Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1.The Station House Officer,
Nedungadu Police Station,
Karaikal.

2.The Inspector of Police,
Nagapattinam Police Station.

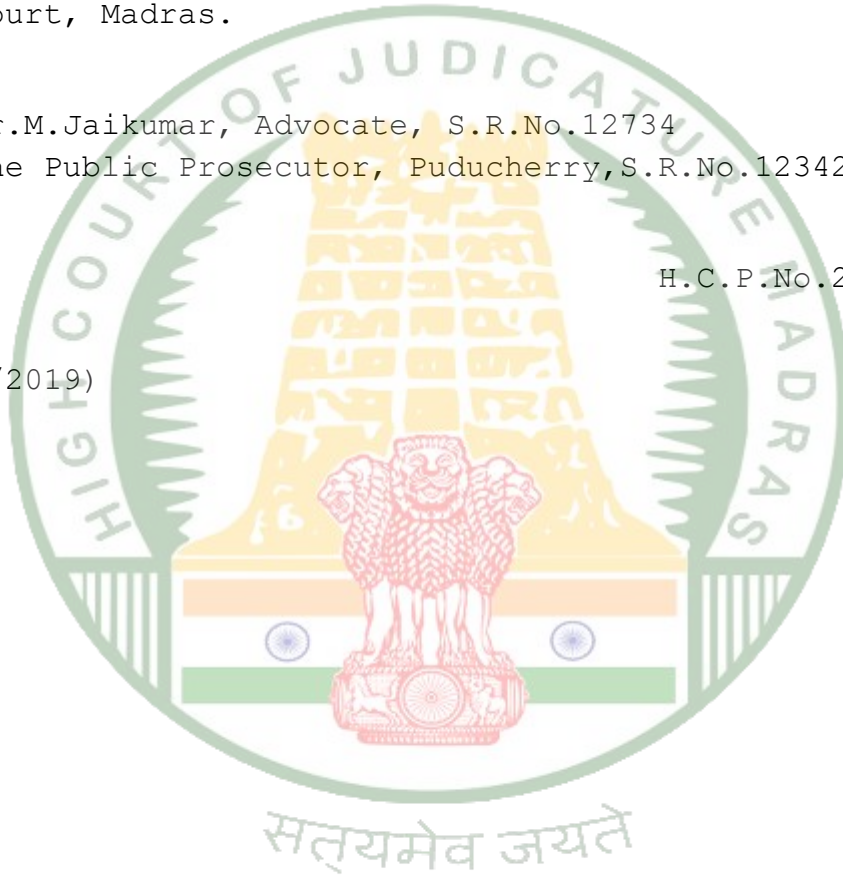
3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Jaikumar, Advocate, S.R.No.12734

+1cc to the Public Prosecutor, Puducherry, S.R.No.12342

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RR(CO)
Kak(20/03/2019)



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