



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P.(MD) No.178 of 2019

K.Kannan

... Petitioner

-vs-

1.The Superintendent of Police
District Superintendent of Police Office
Virudhunagar, Virudhunagar District

2.The Inspector of Police
A.Mukkulam Police Station
A.Mukkulam, Virudhunagar District

3.Rasathi

4.Karuppaiah ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 and 2 herein to produce the body or person of petitioner's wife Pavithra d/o Karuppaiah, aged 22 years, before this Court and set her at liberty.

For Petitioner : Mrs.M.Kanchammal

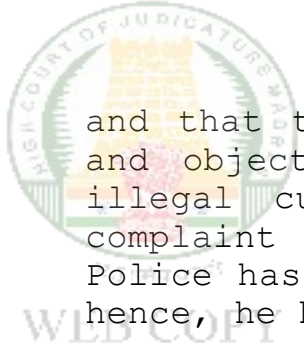
For Respondents : Mr.K.Dinesh Babu
Additional Public Prosecutor for R1 & R2

O R D E R

[Order of the Court was made by B.PUGALENDHI, J.]

The petitioner, who claims to be the husband of the detainee, namely, Pavithra, aged about 22 years, has filed the habeas corpus petition for issuance of a writ of habeas corpus to produce the person or body of his wife - Pavithra before this Court.

<https://hcservices.ecourts.gov.in/hcservices/>
2. According to the petitioner, he married the detainee - Pavithra on 24.04.2017 and it has also been duly registered. Further, according to the petitioner, his wife is found missing



and that the third respondent, who is the father of the detenu and objected to their marriage, is keeping the detenu in his illegal custody. Therefore, on 04.02.2019, he had lodged a complaint before the respondent - Police. But, the respondent - Police has not taken any action on the petitioner's complaint and hence, he has filed the present habeas corpus petition.

3. Today, the respondent - Police produced the detenu - Pavithra before this Court. On enquiry by this Court, she has stated that she is not willing to go with the petitioner.

4. Since there is no illegal detention as claimed by the petitioner, no writ of habeas corpus can be issued and hence, the habeas corpus petition is dismissed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

To:

1. The Superintendent of Police,
District Superintendent of Police Office,
Virudhunagar, Virudhunagar District.

2. The Inspector of Police,
A. Mukkulam Police Station,
A. Mukkulam, Virudhunagar District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s. M. KANCHAMMAL, Advocate (SR-46736[F] dated 13/02/2019)

KRK

H.C.P. (MD) No.178 of 2019
18.02.2019

KM/(13.03.2019) 2P 5C