



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

and

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P(MD)No.609 of 2019

C.Shaju

... Petitioner

Vs.

1.The Superintendent of Police,
Kanyakumari District,
Nagercoil.

2.The Inspector of Police,
Rajakkamangalam Police Station,
Rajakkamangalam,
Kanyakumari District.

3.Kala

4.Murugan

5.Mahesh

... Respondents

Prayer: Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Habeas Corpus, directing the respondents 1 & 2 to produce the body or person of the petitioner's wife, namely, Priya, D/o.Thiyagarajan, aged about 20 years, now detained by the respondents 3 to 5, before this Court and set her at liberty.

For Petitioner : Mr.T.Selvakumaran

For Respondents : Mr.K.Dinesh Babu

Additional Public Prosecutor
for R.1 & R.2

ORDER

(Order of the Court was made by **M.SATHYANARAYANAN, J.**)

The petitioner, claims to be the husband of the detenu, namely, Priya, aged about 20 years and alleging her illegal custody and detention at the hands of her mother / third respondent, came forward to file this Habeas Corpus Petition and it was also entertained.

<https://hcservices.ecourts.gov.in/hcservices> 2. A mention was made to take up this matter for the reason that the detenu has been secured and accordingly, the detenu is produced before this Court.



3. On enquiry, the detenu would state that she was forced to get married to the petitioner and further stated her disinclination to go with the petitioner. The detenu further stated that she completed B.Sc. (Maths) and is willing to go with her mother / the third respondent herein.

4. The petitioner, who is also present before this Court, would state that he has completed B.Sc. (Agriculture) and out of love, he and the detenu got married.

5. This Court has paid it's anxious consideration to the rival submissions and also perused the documents placed on record.

6. Admittedly, the detenu is a major and she is also a B.Sc (Maths) Graduate and she has expressed her willingness to go with her mother / the third respondent, who is also present before this Court. Though the petitioner would plea otherwise, this Court is unable to come to his aid, in the light of the submission made by the detenu before this Court.

7. In the result, this Habeas Corpus Petition is disposed of and the detenu is set at liberty, enabling her to take a call as to her own future and well being.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Superintendent of Police,
Kanyakumari District,
Nagercoil.

2. The Inspector of Police,
Rajakkamangalam Police Station,
Rajakkamangalam,
Kanyakumari District.

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

+1 CC to Mr. T. SELVAKUMARAN, Advocate (SR-77420[F] dated
25/07/2019)

H.C.P(MD) No. 609 of 2019
24.07.2019