



WEB COPY

**H.C.P(MD)No.707 of 2019**

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.08.2019

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN  
AND  
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P (MD)No.707 of 2019

Vignesh

... Petitioner

Vs.

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

2.The State represented by  
The Inspector of Police,  
Nesamaninagar Police Station,  
Kanyakumari District.

3.Shanmugasundaram  
4.Indragandhi

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Habeas Corpus to direct the respondents 1 and 2 to produce the person or body of the petitioner's wife, namely, Sivaranjani, daughter of Shanmugasundaram, aged about 23 years, before this Court and set her at liberty.

For Petitioner : Ms.A.Banumathy

For Respondents : Mr.K.Dinesh Babu  
Additional Public Prosecutor for R.1 & R.2

Mr.B.Rajesh Saravanan for R.3 & R.4

**O R D E R**

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

The petitioner claims to be the husband of the detenue viz., Sivaranjani, aged about 23 years and according to the him, both of them loved each other and got married at Kumarakovil Murugan Temple at Nagercoil, Kanyakumari District and alleging her illegal custody

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at the hands of her parents viz., respondents 3 and 4, he came forward to file this Habeas Corpus Petition.

2.When the matter was taken out of turn for the reason that the detainee has been secured and produced, this Court interacted with the detainee and she would state that she was compelled to go with the petitioner and on her own volition she is now residing with her parents and she wants to take his internship after successfully completing Ayurvedic Medical Course and she wants to pursue her professional career .

3.This Court heard the submissions of the learned counsel appearing for the petitioner also. The learned counsel appearing for the petitioner submitted that the matter may be referred to Mediation and Conciliation Centre attached to this Bench to find out the possibility of some amicable settlement.

4.Mr.K.Dinesh Babu, learned Additional Public Prosecutor appearing for the respondents 1 and 2 on instructions would submit that based on the complaint given by the petitioner CSR No.156 of 2019 was registered on 04.06.2019 and the enquiry would reveal that the detainee voluntarily left the company of the petitioner and she wants to live with the petitioner.

5.The detainee is a major and also professionally well qualified and taking into consideration the submissions made by her during the interaction, this Court is of view that she may not be under the illegal custody of respondents 3 and 4.

6.In view of the above, this Habeas Corpus Petition is dismissed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

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

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



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

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+1 CC to M/s.A.BANUMATHY, Advocate ( SR-82030[F] dated 16/08/2019 )

+1 CC to M/s.B.RAJESH SARAIVANAN, Advocate ( SR-81837[F] dated  
16/08/2019 )

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14.08.2019

sj  
JMN(28.08.2019) 3P : 6C