

IN THE HIGH COURT OF JUDICIATURE AT MADRAS

DATED : 10.02.2020

CORAM :

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

H.C.P.No.140 of 2020

S.Preethi ... Petitioner

versus

1.The Inspector of Police,
W-34, All women Police Station,
Ennore, Chennai-600 057.

2.Samy Iyya

3.Amsavalli ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, seeking to issue a Writ of Habeas Corpus, directing the first respondent to produce the detenu before this Court and set the detenu A.Karthik Raj, son of Ayyasamy, aged about 19 years at liberty forthwith.

For Petitioner : Mr.T.V.G.Kartheeban

For Respondents : Mr.R.Prathap Kumar,
Additional Public Prosecutor

ORDER

(Order of this Court was made by R.SUBBIAH,J.)

This Habeas Corpus Petition has been filed seeking a direction to the first respondent to produce the detenu before this Court and set the detenu A.Karthik Raj, son of Ayyasamy, aged about 19 years at liberty forthwith.

2.The petitioner has stated in the affidavit filed in support of this petition that she is studying B.Com. II year at Patrician Arts and Science College, Adayar, wherein the detenu has also been studying. While so, the detenu and the petitioner fell in love. Pursuant to the same, they got married at Kapaleeswarar Temple, Mylapore without the knowledge of their parents and that she is now three months pregnant. In such a circumstance, the detenu was forcibly taken by respondents 2 and 3. Therefore, the petitioner gave a

complaint to the M5-Ennore Police Station on 24.12.2019 and the same was assigned as C.S.R. No.12 of 2020 dated 06.01.2010. Since the police has not taken any action, the petitioner is before this Court with the present Habeas Corpus Petition.

3.Today, when the petition is taken up for consideration, the detenu is produced before this Court. The petitioner is also present before this Court.

4.On enquiry, the detenu submitted before this Court that he married the petitioner at Kapaleeswarar Temple, Mylapore and now he is 19 years old. After he was harassed by his parents, he was taken to Neyveli and now he expressed his willingness to go along with the petitioner.

5.On enquiry, the petitioner would submit that she is 19 years old.

6.In view of the submission made by the detenu and the petitioner to the effect that they have crossed the age of 18 years and that the detenu is willing to go along with the petitioner, nothing survives for further adjudication in this Habeas Corpus Petition. Hence, the Habeas Corpus Petition stands closed.

Sd/-
Assistant Registrar(CS-VI)

//True copy//

Sub Assistant Registrar

vga

To

1.The Inspector of Police,
W-34, All women Police Station,
Ennore, Chennai-600 057.

2.The Public Prosecutor,
High Court, Madras.

+2cc to Mr.T.V.G.Kartheeban, Advocate SR.No.10181

H.C.P.No.140 of 2020

SVI (CO)
GMY (09/03/2020)