

IN THE HIGH COURT OF JUDICIATURE AT MADRAS

DATED : 24.01.2020

CORAM :

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

H.C.P.No.129 of 2020

N.Barath

... Petitioner

versus

1.The Superintendent of Police,
Perambalur District,
Perambalur.

2.The Deputy Superintendent of Police,
Mangalamedu,
Perambalur District.

3.The Inspector of Police,
Mangalamedu Police Station,
Mangalamedu,
Perambalur District.

4.Lakshmi

5.Krishnaraj

6.Kalaiyarasi

7.Kannan

8.Kalpana

9.Saraswathi

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, seeking to issue a Writ of Habeas Corpus, directing the respondents 1 to 3 to produce the person or body of the petitioner's wife Nivetha, aged 20 years, before this Court and set her at liberty.

For Petitioner : Mr.M.Maharaja

For Respondents : Mr.R.Prathap Kumar,
Additional Public Prosecutor
for R1 to R3

O R D E R

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

This Habeas Corpus Petition has been filed seeking a direction to respondents 1 to 3 to produce the person or body of the petitioner's wife Nivetha, aged 20 years, before this Court and set her at liberty.

2.In the affidavit filed in support of the petition, it is averred that the petitioner married the detenu on 19.08.2019 without the knowledge of her parents and the same was duly registered at the office of the Sub Registrar, Tiruvottiyur, Chennai on 28.08.2019. Thereafter, the detenu was living along with the petitioner in the petitioner's house. While so, she went missing. The petitioner came to know that she is in the illegal custody of her parents. In this regard, the petitioner lodged a complaint before the Mangalamedu Police Station. Since the police has not taken any steps to secure the detenu, the petitioner is before this Court with the present Habeas Corpus Petition.

3.Today, when the petition is taken up for consideration, the detenu was produced before this Court. On enquiry, she would submit that on compulsion made by the petitioner, she agreed for marriage. After marriage, she was harassed by the petitioner. On her volition, she left the petitioner's house and joined with her parents and that there is no illegal detention by her parents.

4.In view of the submission made by the detenu, nothing survives for further adjudication in this Habeas Corpus Petition. As there is no allegation of illegal detention, the Habeas Corpus Petition stands closed. Liberty is given to the petitioner to approach the appropriate forum seeking his remedy.

सत्यमेव जयते

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vga
To

1.The Superintendent of Police,
Perambalur District,
Perambalur.

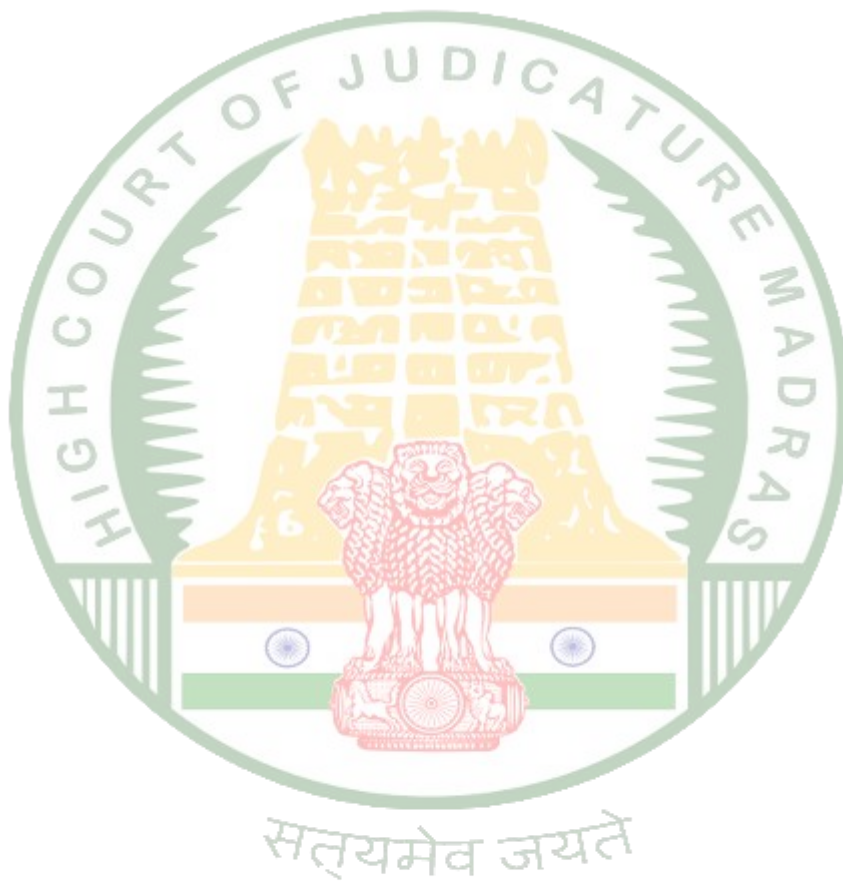
2.The Deputy Superintendent of Police,
Mangalamedu,
Perambalur District.

3.The Inspector of Police,
Mangalamedu Police Station,
Mangalamedu,
Perambalur District.

4.The Public Prosecutor,
High Court, Madras.

H.C.P.No.129 of 2020

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A.SK(28/02/2020)



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