

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2020

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH
AND
THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

H.C.P.No.342 of 2020

D.Prasanth

..Petitioner

Vs

1.The Commissioner of Police,
Coimbatore District,
Coimbatore.

2.The State of Tamil Nadu,
Rep. by Inspector of Police,
C-4, Rathinapuri Police Station,
Coimbatore City, Coimbatore.

..Respondents

Prayer: Habeas Corpus Petition filed under Article 226 of the Constitution of India directing the second respondent to produce the body of the petitioner wife T.Tamilarasi, D/o.Tharmalingam, before this Court and set her at liberty.

For Petitioner : Mr.K.S.Karthik Raja

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

ORDER

This Habeas Corpus Petition has been filed seeking a direction to the second respondent to produce the body of petitioner's wife, namely, T.Tamilarasi, D/o.Tharmalingam, aged about 26 years before this Court and set her at liberty.

2. The petitioner is the husband of the detinue. The detinue is a major, aged about 26 years. The petitioner and the detinue fell in love with each other. The petitioner is also a major and they got married on 21.12.2019. Since they belong to different communities, they made necessary arrangements for registering their marriage under the Special Marriage Act. After the marriage, the detinue was living along with the petitioner at Coimbatore. While so, on 15.01.2020, the parents of the detinue came to the house of the petitioner and forcibly took the detinue in a jeep. Therefore, he lodged a complaint

with the police. Since the police has not taken any efforts, the present petition has been filed.

3. Today, when the petition is taken up for consideration, the detainee was produced by the respondents police. On enquiry, she submitted that she was forcibly taken by her parents to their house and she was kept under lock and key in a room. After filing of this HCP, the police came there and brought her to the Court. She has also expressed her willingness to go along with the petitioner. We have also enquired the parents of the detainee and the petitioner.

4. Since the detainee is a major, she is at liberty to take her own decisions and she is permitted to go along with the petitioner. Recording the submission made by the detainee, the Habeas Corpus Petition stands closed, as nothing survives for further adjudication in this Habeas Corpus Petition.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

- 1.The Commissioner of Police,
Coimbatore District,
Coimbatore.
- 2.The State of Tamil Nadu,
Rep. by Inspector of Police,
C-4, Rathinapuri Police Station,
Coimbatore City, Coimbatore.

- 3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.S.Karthik Raja, Advocate, SR.No.17305

CP(CO)
rli(22/05/2020)

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