

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.05.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

and

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

H.C.P.No.662 of 2020

A.Manikandan, 27 years,
S/o.Amurthanavel,
No.55, Thangaithittu Veethi,
Ariankuppam,
Ariankuppam Commune Panchayat,
Ariyankuppam, Puducherry 605 007.

... Petitioner

Vs

1.State Rep. by
Senior Superintendent of Police (L & O),
Urulaiyanpet, Puducherry.

2.The Superintendent of Police (South),
Ariyankuppam,
Puducherry 605 007.

3.The Inspector of Police,
Ariyankuppam Police Station,
Ariyankuppam Circle,
Puducherry 605 007.

4.Thiru.Sugumar,
No.439, Cuddalore Road,
Nainaramandapam,
Mudaliarpet, Puducherry 605 004.

5.Thiru.Jayamurthi, M.L.A.,
Ariyankuppan Constituency,
Ariyankuppam,
Puducherry 605 007.

... Respondents

PRAYER : This Petition is filed under Article 226 of the Constitution of India for issuance of Writ of Habeas Corpus to direct the respondents herein to produce the body and person of petitioner's wife namely Raghavi, aged about 20 years before this Court from the illegal custody of the respondents 4 & 5 and set her at liberty.

For Petitioner :Mr.M.Gnanasekar

For Respondents :Mr.Bharatha Chakravarthy (for R1 to R3)
Public Prosecutor (Puducherry)

O R D E R

(Order of the Court was delivered by N.KIRUBAKARAN, J)

The matter is heard through video-conferencing.

2.The petitioner claims that he got married to one Raghavi, who is the first year Medical College student on 12.03.2020 at Arulmigu Balasubramaniya Swami Temple, Mayilam. Thereafter, on the complaint given by the 4th respondent, viz., Mr.Sugumar, who is the father of his wife, the other respondents forcibly took his wife, when they appeared before the Police Station for attending an enquiry. In view of the above, the petitioner gave a complaint to the 1st and 2nd respondents through RPAD on 16.03.2020. Since no action has been taken, the petitioner has come before this Court.

3.In the last hearing, this Court has directed the learned Public Prosecutor to produce the detainee through Video Conferencing. Accordingly, when the matter is called today, the girl viz., Raghavi attended the Court through video conferencing from the residence of the 4th respondent.

4.Heard the parties and perused the records.

5.The alleged detainee Raghavi categorically stated that she is the first year medical college student and on her own volition she got married to the petitioner and she wants to reunite with her husband. When this Court explained about the economical condition of the petitioner that he would not be in a position to pay her medical college fees viz., Rs.4,00,000/- per

year till the completion of the course, she said that her husband would make some arrangements to pay her fees.

6.The petitioner also appeared before this Court through Video Conferencing and assured that he would make arrangement to pay the college fees for his wife.

7.The 4th respondent/father of the detainee also appeared through video conferencing. Knowing the statement made by his daughter, he would submit that the petitioner is not a good person and he has spoiled many girls' life and there is no assurance that the detainee's life would be safe in the hands of the petitioner. However, the Sub-Inspector of Police, who is present before this Court would submit that there is no case pending against the petitioner.

8.Since the petitioner's wife viz., Raghavi/alleged detainee is a major aged about 20 years and she categorically stated before this Court that she married the petitioner and she would like to join with her husband, the respondent/police is directed to give police protection to Mrs.Raghavi to join with her husband. The respondent/police is further directed to see that no untoward incident takes place and the life of the petitioner and his wife is protected from third parties, including the 4th respondent and his relatives.

9.With the above directions, this Petition is disposed of.

-s/d-

Assistant Registrar

True Copy सत्यमेव जयते

Sub-Assistant Registrar

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To

1.The Senior Superintendent of Police (L & O),
Urulaiyanpet, Puducherry.

2.The Superintendent of Police (South),
Ariyankuppam,
Puducherry 605 007.

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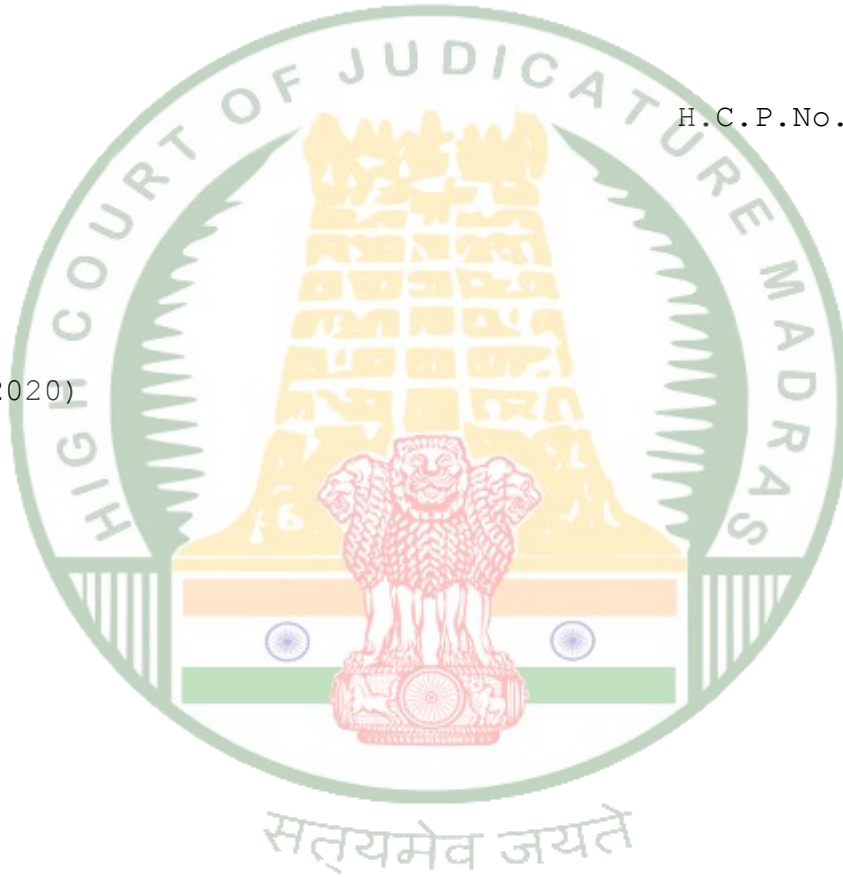
3.The Inspector of Police,
Ariyankuppam Police Station,
Ariyankuppam Circle,
Puducherry 605 007.

4.The Joint Secretary to Government public (Law & Order)
Fort Saint George, Chennai-9

5.The Public Prosecutor
Puducherry.

H.C.P.No.662 of 2020

RLD (CO)
GS (22/07/2020)



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