

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :02.09.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
AND
THE HONOURABLE MS.JUSTICE V.M.VELUMANI

H.C.P. No. 1431 of 2020

S. Saravanan, M/A. 27 years,
S/o. Sokkaiya,
No.4/221-1, Parasuramanpatti,
Silon Nagar, K.Pudhur,
Madurai 625 007. Petitioner

Vs.

1. The Commissioner of Police,
Sirupooluvarpatti, Tiruppur District,
Tiruppur 641 687.
2. The Inspector of Police,
Anupparpalayam, Tiruppur City,
Tiruppur 641 652.
3. Mr. Ramamoorthy,
No.16, ACME Avenue, Brindavanam Garden,
Kodimangalam Vilakku,
Umachikulam, Madurai. Respondents

PRAYER: This Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Habeas Corpus, directing the 2nd respondent to produce the detainee Mrs. S. Muthumenaga, aged 25 years, who is in the illegal custody of the 3rd respondent before this Court and set her at liberty.

For Petitioner : Mr. A. Ramesh Manikandan
For R1 and R2 : Mrs. M. Prabhavathi
(Additional Public Prosecutor)

O R D E R

(Order of the court was made by N.KIRUBAKARAN,J.)

The matter is heard through "Video Conferencing".

2.The petitioner who is the husband of the detainee viz.,
Muthumenaga, aged about 25 years, filed this petition stating

that his wife is in the illegal custody of the 3rd respondent/father of the detainee.

3. According to the petitioner, he has been in love with the detainee from IX standard onwards, and he married her on 17.06.2020 in a temple at Tiruparankundram and they have been living as husband and wife in Tiruppur. Thereafter, she was forcibly taken away by the 3rd respondent and his relatives, which compelled the petitioner to file this petition.

4. When the matter is called today, both the petitioner as well as the alleged detainee are produced before this Court through Video-Conferencing by the Inspector of Police, Tiruparankundram Police Station. Both the parties were allowed to speak to each other. The detainee, S.Muthumenaga informed that she got married the petitioner on 17.06.2020 at Tiruparankundram Temple and she has been living with the petitioner as husband and wife, however, now she is living with her parents. She intended her willingness to go with her parents and stated that she is not interested in living with the petitioner. However, she would submit that she is ready to live with the petitioner provided her parents agree for the same.

5. In view of the above, it is very clear that the detainee is not in any illegal custody and hence, this petition stands closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner of Police,
Sirupooluvarpatti, Tiruppur District,
Tiruppur 641 687.
2. The Inspector of Police,
Anupparpalayam, Tiruppur City,
Tiruppur 641 652.
3. The Inspector of Police,
Thiruperunkundram Police Station,
Madurai.
4. The Public Prosecutor
High Court, Chennai.

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SPD(CO)
RMP(18/11/2020)