

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2020

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice D.KRISHNAKUMAR

H.C.P.No. 1687 of 2020

P.Saravanan

.. Petitioner

Vs

1.The Superintendent of Police,
Office of the District Superintendent of Police,
Tiruvannamalai Taluk, Tiruvannamalai District.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Arni Taluk, Tiruvannamalai District.

3.The Inspector of Police
Arni Town Police Station,
Arni Taluk, Tiruvannamalai District.

4.Chinnasamy

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the 3rd respondent to secure and produce petitioners wife Priyanka, aged 21 years, before this Court illegal custody of the fourth respondent and set her at liberty.

For Petitioner : Mr.B.S.Ramesh

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

Page numbers

ORDER

[Order of the Court was made by M.M.SUNDRESH, J.]

The petitioner, who is a married man, has come forward to file this habeas corpus petition claiming the production of the detainee on the premise that he has legally and validly married her.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for respondents 1 to 3.

3. Though an attempt has been made to state that the marriage was solemnized with the consent of the first wife, in law, there is no basis for maintaining this petition on the premise that the detainee is the wife of the petitioner. In fact, on the complaint given by the fourth respondent, who is also present before us, being the father of the detainee, she was secured and handed over to him. An enquiry was conducted in the presence of the petitioner, detainee and the fourth respondent. The petitioner is stated to be 47 years old whereas the detainee is 21 years old. The records also would disclose that the detainee is living with her parents on her own volition.

4. Thus, we do not find any illegal detention involved in this case and the habeas corpus petition stands closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

mmi/ssm

To

- 1.The Superintendent of Police,
Office of the District Superintendent of Police,
Tiruvannamalai Taluk, Tiruvannamalai District.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Arni Taluk, Tiruvannamalai District.
- 3.The Inspector of Police
Arni Town Police Station,
Arni Taluk, Tiruvannamalai District.

Page numbers

4.The Public Prosecutor,
High Court, Madras.

H.C.P. No.1687 of 2020

BS (CO)
CB (09/12/2020)



WEB COPY

Page numbers