

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2020

CORAM

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

H.C.P.No.2859 of 2019

C.Sathish
S/o.Chandrasekaran

... Petitioner

Vs

The State represented by

1.The Superintendent of Police,
Chengalpet District.

2.The Inspector of Police,
Melmaruvathur Police Station,
Chengalpet District.

3.Allimuthu

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing respondents to produce petitioner's wife viz. S.Vinothini, aged about 23 years, before this Court and set her at liberty.

For Petitioner : Mr.J.Suresh

For Respondents : Mr.R.Prathap Kumar
Additional Public Prosecutor [R1 & R2]
Mr.G.Magesh Kumar [R3]

ORDER

[Order of this Court was made by R.SUBBIAH, J]

Petitioner, who is the husband of the detainee viz., S.Vinothini, aged about 23 years, has filed the present petition seeking a direction to respondents to produce the detainee, who is in illegal custody of her father/third respondent, before this Court and set her at liberty.

2. Heard learned counsel for petitioner, learned Additional Public Prosecutor appearing for respondents 1 and 2 and learned counsel for third respondent.

3. Learned counsel for petitioner submits that petitioner and the detinue were married on 03.07.2017 and the same was registered at Sub Registrar Office, Valavunur. Since the marriage was performed without informing the elders, they continued to live in their respective residence. While so, on 26.11.2019, the detinue, over phone, informed petitioner that her parents have come to know about the marriage and kept her under illegal custody. She has also informed that her father/third respondent is taking steps for her re-marriage. Immediately, petitioner preferred a complaint before the first respondent. Since no action was taken, the present petition has been filed seeking the aforesaid relief.

4. Today, the detinue is produced before this Court. On enquiry, the detinue, aged about 23 years, stated that she is not under illegal custody and also expressed her unwillingness to go along with the petitioner.

In the aforesaid circumstances, nothing survives for further adjudication in the matter. Hence, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (C.S.VI)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Chengalpet District.

2. The Inspector of Police,
Melmaruvathur Police Station,
Chengalpet District.

3. The Public Prosecutor,
High Court, Madras.

AKM/10.02.2020 /2P-4C/

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