



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

H.C.P. (MD) No.495 of 2020

WEB COPY

Devabalan

... Petitioner

-vs-

1.The State, rep.by its
Superintendent of Police
Virudhunagar District
Virudhunagar

2.The Inspector of Police
All Women Police Station
Sivakasi, Virudhunagar District

3.Muthulakshmi

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 and 2 to produce the person or body of the detainee, who is the wife of the petitioner namely Malathy aged about 23 years before this Court and handover the custody to the petitioner and set her at liberty.

For Petitioner : Mr.T.Antony Arul Raj

For Respondents : Mr.V.Neelakandan
Additional Public Prosecutor for R1 & R2
Ms.Lakshmi Gopinathan
for M/s.Polax Legal Solutions for R3

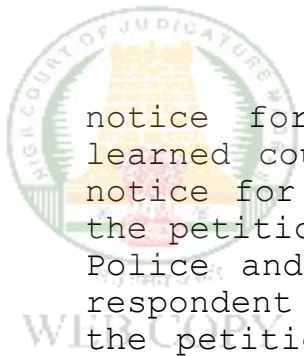
O R D E R

[Order of the Court was made by K.KALYANASUNDARAM, J.]

The present habeas corpus petition has been filed by the petitioner seeking direction to the respondents 1 and 2 to produce his wife Malathy, aged about 23 years, before this Court, handover her custody to him and set her at liberty.

2. It is the case of the petitioner that he married the detainee Malathy, who is the daughter of the third respondent, on 06.12.2019 and now, she is in illegal detention of her parents.

3. When the matter was taken up for hearing, Mr.V.Neelakandan, learned Additional Public Prosecutor, who takes
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notice for the respondents 1 and 2 and Ms.Lakshmi Gopinathan, learned counsel appearing for M/s.Polax Legal Solutions, who takes notice for the third respondent, submitted that on 28.07.2020, both the petitioner and the detinue appeared before the second respondent Police and gave a statement. The learned counsel for the third respondent also submitted that there was no proper marriage between the petitioner and the detinue Malathy and the detinue is not in illegal custody as alleged by the petitioner and in fact, the detinue is present in her office.

4. In the light of the above facts, we are of the considered opinion that no further orders are required in this case and hence, the habeas corpus petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

krk

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.

2.The Inspector of Police,
All Women Police Station,
Sivakasi, Virudhunagar District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.T. ANTONY ARUL RAJ, Advocate (SR-13598[F] dated 04/08/2020)

+1 CC to M/s.POLAX LEGAL SOLUTIONA, Advocate (SR-13604[F] dated 04/08/2020)

H.C.P. (MD) No.495 of 2020
03.08.2020

SPU(14.08.2020) 2P 6C

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