



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and

THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

H.C.P.(MD) No.608 of 2020

Bhuvaneswari

... Petitioner

-VS-

1.State represented by
The Superintendent of Police,
Dindugul District, Dindugul.

2.The Inspector of Police,
Kodaikanal Police Station,
Kodaikanal, Dindugul District.

3.Monica

4.Selvam

... 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 detenu, by name, Krishnamoorthy alias Kitcha, aged about 26 years, son of Palanichamy, before this Court and set him at liberty.

For Petitioner :Mr.Y.Sasikumar

For Respondents:Mr.V.Neelakandan
Additional Public Prosecutor for R1 & R2

O R D E R

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

The petitioner has filed this habeas corpus petition seeking direction to the respondents 1 and 2 to produce the person or body of her husband, namely, Krishnamoorthy @ Kitcha, son of Palanichamy, aged about 26 years, before this Court and set him at liberty.

2. It is the case of the petitioner that the detenu is her maternal uncle and they had pre-marital relationship and thereby, she became pregnant and their marriage was performed on 21.05.2020



and thereafter, she lived with him in the matrimonial home for about two months. It is alleged that the detenu was found missing from 11.07.2020 and despite lodging of a complaint on 16.07.2020, no action was taken by the respondent Police.

3. Today (i.e.15.09.2020), the detenu appeared before this Court through Video Conferencing. On enquiry, the detenu informed that he was not interested in the marriage with the petitioner and he is now working in Chennai.

4. In the light of the above statement of the detenu, we are of the view that no further orders are necessary except giving liberty to the petitioner to workout her remedy in the manner known to law.

5. Accordingly, the habeas corpus petition is closed with liberty as stated above.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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,
Dindugul District, Dindugul.
- 2.The Inspector of Police,
Kodaikanal Police Station,
Kodaikanal, Dindugul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

H.C.P. (MD) No.608 of 2020
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