



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

H.C.P. (MD) No.1052 of 2020

K.Karthik

...Petitioner/Husband of detenu

-vs-

1.The State represented by
The Superintendent of Police
Office of the District Superintendent of Police
Thanjavur

2.The Inspector of Police
Peravorani Police Station
Pattukottai, Thanjavur

3.Kannan

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the second respondent to produce the person or body of the petitioner's wife namely Moniga, wife of Karthik, aged about 28 years, before this Court and from the illegal custody of the third respondent and set her at liberty.

For Petitioner : Mr.M.Marimahesh

For Respondents : Mr.K.Dinesh Babu
Additional Public Prosecutor for R1 & R2
Mr.V.Bharathi for R3

O R D E R

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

This habeas corpus petition has been filed seeking direction to the second respondent to secure his wife, namely, Moniga, aged about 28 years, from the illegal custody of the third respondent, produce her before this Court and set her at liberty.

2. It is the case of the petitioner that he married the detenu on 27.10.2017 and registered the marriage with the Registrar of Marriages. He would further state that the third respondent, who is the father of the detenu, promised him to conduct a reception function. He would claim that the detenu contacted him through mobile phone on 10.10.2020 and stated that she had been forcibly



detained by her father / third respondent herein and hence, he lodged a complaint through online on 24.10.2020. But, till date no action was taken by the respondent Police and hence, this habeas corpus petition.

3. Today, when the matter is taken up for hearing, the petitioner, his wife / detainee and the third respondent appeared before this Court through Video Conferencing. On enquiry, the detainee would state that when she had gone for her friend's marriage, a signature was obtained from her and she denied her marriage with the petitioner. She would further state that she is not illegally detained by her father and on her own will, she is staying with her parents.

4. In the light of the above statement of the detainee, the habeas corpus petition is closed.

Sd/-

Assistant Registrar (CS-I)

// 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,
Office of the District Superintendent of Police,
Thanjavur.
- 2.The Inspector of Police,
Peravorani Police Station,
Pattukottai, Thanjavur.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD) No.1052 of 2020
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