

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 24.03.2021
CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA
AND
THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

H.C.P. No.459 of 2021

P.Vinayagan

... Petitioner

vs.

1.The Superintendent of Police
Chengalpattu District
Chengalpattu

2.The Inspector of Police
J-12, Kanathur Police Station
Karikattukuppam
Chengalpattu District

... Respondents

Writ of Habeas Corpus Petition filed under Article 226 of the Constitution of India, for issuance of a writ of habeas corpus, directing the respondents 1 and 2 to produce petitioner's wife Mrs.S.Priyadarshini, aged 21 years before this Hon'ble Court and set her liberty.

For Petitioner : Mr.S.Gopinathan

For Respondents : Mr.R.Prathap Kumar
Additional Public Prosecutor

O R D E R

(Order of the court was made by T.RAJA, J.)

This writ of habeas corpus, is for a direction to the respondents 1 and 2 to produce petitioner's wife Mrs.S.Priyadarshini, aged 21 years before this Hon'ble Court and set her liberty.

2. Learned counsel appearing for the petitioner would submit that the detenu is aged about 21 years and that after some love affair, the petitioner and the detenu got married by tying 'Thali' on 08.03.2021 at Thiruchanur Alamelu Mangapuram Temple. On the next day she has left the home and the petitioner has searched for her whereabouts.

3. Since the petitioner has married the detenu who is aged about 21 years and she had been taken away by her parents and relatives against her will, he has given a police complaint and the same has been registered as 'women missing' case on 13.03.2021. But the respondents 1 and 2 are not able to take any steps whatsoever till date. Therefore, the petitioner has been advised to approach this court.

4. We are unable to find any merit in the writ petition. The petitioner claims that he married the detenu aged about 21 years, but neither the proof of marriage is filed nor the proof of age of the detenu has been filed to say that the detenu has attained majority and their marriage was performed. Therefore, finding no record whatsoever in the writ petition, we are inclined to dismiss the writ petition.

5. Accordingly, this habeas corpus petition is dismissed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

Asr

To

1. The Superintendent of Police
Chengalpattu District
Chengalpattu
2. The Inspector of Police
J-12, Kanathur Police Station
Karikattukuppam
Chengalpattu District
3. The Public Prosecutor
High Court, Madras.

CP(CO)
CSR 29.04.2021

H.C.P. No.459 of 2021

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