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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.08.2021

Coram

The Honourable Mr. Justice P.N.PRAKASH
and
The Honourable Ms. Justice R.N.MANJULA

H.C.P.No.1310 of 2021

Karthick

.. Petitioner

Vs.

1.The Assistant Commissioner of Police,
Adyar Range,
Chennai.

2.State represented by
The Inspector of Police,
All Women Police Station,
Saidapet, Chennai.

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the 2nd respondent to produce the body of the detenue viz., Srimathi, wife of the petitioner, aged about 28 years, before this Court and set her at liberty.

For Petitioner : Mr.C.Babu Ganesh

For Respondents : Mr.R.Muniyapparaj
Govt.Advocate
(Crl.Side)

ORDER

[Made by P.N.PRAKASH, J.]

This habeas corpus petition has been filed seeking to direct the 2nd respondent to produce the body of the detenue viz., Srimathi, wife of the petitioner, aged about 28 years, before this Court and set her at liberty.

2. It is the case of the petitioner that he got married to Srimathi, aged about 28 years, on 03.02.2021 and after marriage, they were residing in their matrimonial home at Kumarapalayam for some time. It is the allegation of the petitioner that his wife Srimathi is in the illegal detention of



her mother and that she has left the matrimonial home on 26.07.2021 and thereafter, her whereabouts are not known. Hence, the petitioner has filed the present habeas corpus petition.

3. Today R.Sagunthala (Mobile No.99620 05915), Sub-Inspector of Police and B.Vanamadevi (Mobile No.94981 30528), Women Grade-I 37077, W-20, All Women Police Station, Saidapet, Chennai, are present. They produced the detainee Srimathi (Mobile No.99405 44956), aged about 28 years, before this Court.

4. When we enquired Srimathi, she stated that at the time of marriage, she was working in IDBI Bank along with the petitioner; they fell in love and got married; after marriage, she resigned her job for the sake of the petitioner and his family, but, she was ill-treated by the petitioner and his family members; ultimately, it was the petitioner, who dropped her in her parental home saying that their marriage would not work. She further stated that since then she is living with her parents at Door No.15/4, First Floor, Vivekanda School Flat, West CIT Nagar, Saidapet, Chennai - 15.

5. In view of the above, we do not find that Srimathi, aged about 28 years, is in the illegal custody of any person for the issuance of a writ of habeas corpus.

Hence, this habeas corpus petition stands dismissed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

nsd

To

- 1.The Assistant Commissioner of Police,
Adyar Range, Chennai.
- 2.The Inspector of Police,
All Women Police Station,
Saidapet, Chennai.
- 3.A.Srimathi,
Door No.15/4, First Floor,
Vivekanda School Flat,
West CIT Nagar, Saidapet,
Chennai - 15.



4.The Public Prosecutor,
Madras High Court,
Chennai - 600 104.

+1cc to Mr.G.Babu Ganesh, Advocate, S.R.No. 43314

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RGN(CO)
GN(17/09/2021)