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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.09.2021

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH
AND
THE HONOURABLE MS.JUSTICE R.N.MANJULA

H.C.P.NO.1413 OF 2021

Raja Ranjith Kumar
S/o.Raja

..Petitioner

Vs.

1. State through
The Deputy Commissioner of Police,
Flower Bazar Range,
George Town,
Chennai - 600 001.

2. The Inspector of Police,
W-12, All Women Police Station,
Muthialpet Police Station,
Chennai - 600 001.

3. Ramesh
S/o.Chand Vaishnav

..Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the second respondent to produce the petitioner's wife viz., Asha Vaishnav, aged about 22 years, before this Court from the custody of third respondent and set her at liberty forthwith.

For Petitioner : Mr.R.Ganesh Kumar

For Respondents : Mr.R.Muniyapparaj
Government Advocate [Cr1.side]



ORDER

[Order of the Court was made by P.N.PRAKASH, J]

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This petition has been filed seeking a direction to the second respondent to produce the petitioner's wife viz., Asha Vaishnav, aged about 22 years, before this Court from the custody of third respondent and set her at liberty forthwith.

2. It is the case of the petitioner that he is in love with one Asha Vaishnav, the daughter of third respondent and that the third respondent is keeping her in illegal custody at his native village in Bhilwara District, Rajasthan, so as to prevent her from getting married to the petitioner. Thus, according to the petitioner, Asha Vaishnav is in the illegal custody of her father in Rajasthan.

3. Since the detainee is in Rajasthan, a Writ of Habeas Corpus cannot be issued by this Court. It is open to the petitioner to approach the High Court of Rajasthan or the jurisdictional Magistrate u/s.97 Cr.P.C. for appropriate relief, if so advised.

With the above direction, this Habeas Corpus Petition is closed.

Sd/-
Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar

gm

To

1. The Deputy Commissioner of Police,
Flower Bazar Range,
George Town,
Chennai - 600 001.
2. The Inspector of Police,
W-12, All Women Police Station,
Muthialpet Police Station,
Chennai - 600 001.



3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Ganesh Kumar, Advocate, S.R.No.46461

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PMK(CO)
RLP(22/09/2021)