

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2021

Coram

The Hon'ble Mr. Justice P.N.PRAKASH
and
The Hon'ble Mr. Justice V.SIVAGNANAM

H.C.P. No. 2554 of 2020

A.Arunkumar

.. Petitioner

Vs.

1.The Commissioner of Police,
Salem City, Salem.

2.The Inspector of Police,
B-9, Fairlands Police Station,
Salem.

3.Mr.Velladurai

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of Habeas Corpus directing the respondents to produce the body of the petitioner's wife detenue namely Shyamala aged about 23 years D/o.Mr.Velladurai before this Court from the illegal custody of the 3rd respondent and set her at liberty.

For Petitioner : Mr.S.Parthasarathi

For Respondents: Mr.R.Prathap Kumar,
1 and 2 Addl.Public Prosecutor

ORDER

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

This Habeas Corpus Petition has been filed seeking to direct the respondents to produce the body of the petitioner's wife detenue namely Shyamala aged about 23 years D/o.Mr.Velladurai before this Court from the illegal custody of the 3rd respondent and set her at liberty.

2. It is the case of the petitioner that he got married to the detenue and the detenue has been forcibly taken by her parents. Admittedly, the petitioner is aged around twenty five years and the detenue is aged around twenty four years.

3. On instructions, the learned Additional Public Prosecutor submitted that the petitioner had earlier given a complaint to the police and after talking to the detenue, had withdrawn the complaint on the same day. He further submitted that the detenue is with her parents on her own free will.

4. Be that as it may, this is not a fit case for the petitioner to file H.C.P. for causing production of the detenue and it is open to the petitioner to work out his remedy in the manner known to law.

In the result, this habeas corpus petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

mmi/nsd
To

1.The Commissioner of Police,
Salem City, Salem.

2.The Inspector of Police,
B-9, Fairlands Police Station,
Salem.

3.The Public Prosecutor,
High Court, Madras.

4.The Secretary to Government,
Public (Law & Order), Fort saint George,
Chennai-600009.

+2cc to Mr.S.Parthrsarathi, Advocate, S.R.No.39

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jp(CO)
rv(03/02/2021)

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