



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.11.2021

C O R A M

THE HONOURABLE MR. JUSTICE P.N.PRAKASH
and
THE HONOURABLE Mrs.JUSTICE R.HEMALATHA

H.C.P.No.1822 of 2021

Raman @ Gandhi
S/o.Mani

... Petitioner

Vs.

State rep. by its

1.The Superintendent of Police.
Villupuram,
Namakkal District.

2.The Inspector of Police,
Periyathatchur Police Station,
Villupuram District.

3.Ezhumalai
S/o.Govindarasu

... Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution for issuance of a Writ of Habeas Corpus, praying to direct the respondents 1 and 2 to produce the petitioner's wife namely Priya, W/o. Raman @ Gandhi, aged about 19 years, before this Court and set her at liberty forthwith.

For Petitioner :Mr.W.Camyles Gandhi

For Respondents:Mr.R.Muniyapparaj
Additional Public Prosecutor [R1 & R2]

O R D E R

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

This Petition has been filed seeking a direction to respondents 1 and 2 to produce the petitioner's wife Priya W/o. Raman @ Gandhi, aged about 19 years, before this Court and set her at liberty forthwith.



2. Heard learned counsel appearing for the petitioner and learned Additional Public Prosecutor appearing for the State.

3. It is the case of the petitioner that he was in love with Priya and got married to her on 10.09.2021. Since their marriage was not initially accepted by the parents of Priya, a police complaint was lodged by them before the All Women Police Station, Villupuram. During the police enquiry, Priya stated that she would not go with her father and that she would go only with the petitioner. Therefore, the police obtained a statement from Ezhumalai, father of Priya, to the effect that he would not disturb his daughter's marital life. Now, it is the allegation of the petitioner that Priya's parents have illegally taken custody of his wife and is not permitting her to join him.

4. Today, M.Gopi, Sub Inspector of Police and K.Sundari, G.I., Periyathatchur Police Station, Villupuram District, are present. Priya and her parents Ezhumalai and Kaliasammal are present before this Court. The petitioner is also present.

5. When we enquired Priya, she stated that her date of birth is 22.04.2002 and she is aged 19 years. She further stated that she got married to the petitioner and that she wants to go with him. Since Priya is not a minor, we cannot force her to go with anyone against her wish. Hence, she is set at liberty to chalk out her life.

Accordingly, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar

gm/mtl

To

1.The Superintendent of Police.
Villupuram,
Namakkal District.

2.The Inspector of Police,
Periyathatchur Police Station,
Villupuram District.



3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.W.Camyles Gandhi, Advocate SR.No.58572

H.C.P.No.1822 of 2021

KG(CO)
CB(30/11/2021)