



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MR.JUSTICE G.ILANGOVA

H.C.P.(MD) No.428 of 2021

WEB COPY

K.J.Vishnu

... Petitioner/Husband of
the detenue

-vs-

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

2.The Superintendent of Police,
Madurai District,
Madurai.

3.The Superintendent of Police,
Krishnagiri District,
Krishnagiri.

4.The Inspector of Police,
Othakkadai Police Station,
Madurai.

5.The Inspector of Police,
Pagalur Police Station,
Krishnagiri District.

6.Sagaram ... Respondents

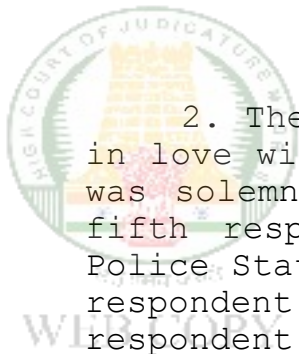
PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus, directing the respondents 1 to 3 to produce the person or body of the petitioner's wife by name Anju (18 years) before this Court and set her at liberty from the illegal custody of the 6th respondent.

For Petitioner	:	Mr.M.Maran
For R1 to R5	:	Mr.K.Dinesh Babu
		Additional Public Prosecutor

O R D E R

[Order of the Court was made by K.KALYANASUNDARAM, J.]

This habeas corpus petition has been filed seeking direction to the respondents 1 to 3 to produce the petitioner's wife, namely, Anju, aged about 18 years before this Court and set her at liberty.



2. The petitioner would claim that he and the detainee Anju fell in love with each other for the past three years and their marriage was solemnized on 11.12.2020. However, on the very next day, the fifth respondent police personnel came and forcibly took her to Police Station from Madurai and handed over her custody to the sixth respondent against her wish. It is alleged that the sixth respondent threatened the petitioner and his mother with the help of hirelings and hence, he sent a representation to the first respondent on 22.01.2021 and a complaint was sent to the fourth respondent on 27.02.2021, but no action was taken and hence, the present petition has been filed.

3. Mr.K.Dinesh Babu, learned Additional Public Prosecutor, appearing for the Official Respondents, on instructions, would state that the sixth respondent is the father of the detainee and he belongs to the State of Rajasthan and he is running a hardware shop at Hosure. It is further stated that the sixth respondent lodged a complaint with fifth respondent for missing of his daughter, the detainee herein and on that basis, a case in CSR No.89 of 2021 was registered. The detainee was secured and handed over her custody to the sixth respondent. It is further submitted that the sixth respondent and the detainee are now residing at Rajasthan.

4.In the light of the above submission of the learned Additional Public Prosecutor, we find no merit in the habeas corpus petition and hence, the same is dismissed. However, giving liberty to the petitioner to work out his remedy in the manner known to law.

Sd/-

Assistant Registrar (CSIII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The Commissioner of Police,
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Madurai.



2.The Superintendent of Police,
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Madurai.

3.The Superintendent of Police,
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Krishnagiri.

4.The Inspector of Police,
Othakkadai Police Station,
Madurai.

5.The Inspector of Police,
Pagalur Police Station,
Krishnagiri District.

6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD) No.428 of 2021
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DKS (CO)
KB(26.04.2021) 3P 7C