



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.03.2021

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE G.ILANGO VAN

H.C.P. (MD) No.481 of 2021

N.Manikandan

... Petitioner/
Husband of the Detenue

-vs-

- 1.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.
- 2.The Inspector of Police,
All Women Police Station,
Virudhunagar.
- 3.The Inspector of Police,
Virudhunagar West Police Station,
Virudhunagar.
- 4.Alaguchamy

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents Nos.1 to 3 to secure the body or person of the detenue namely, Pavithra, W/o N.Manikandan, D/o Alaguchamy aged about 21 years and produce her before this Court and set her at liberty.

For Petitioner :Mr.J.Lawrance

For Respondents :Mr.K.Dinesh Babu

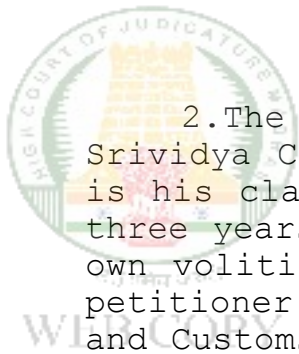
Additional Public Prosecutor (for R1 to R3)

Mr.S.Poorna Chandran (for R4)

O R D E R

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

The petitioner has come forward with this habeas corpus petition seeking a direction to the respondents 1 to 3 to produce the detenue, namely, Pavithra aged about 21 years before this Court and set her at liberty.



2.The petitioner would state that he is pursuing B.A., at Srividya College of Arts and Science at Virudhunagar. The detinue is his classmate and they have been loving each other for the past three years. The petitioner further stated that the detinue on her own volition left her parental home on 03.03.2021 to join with the petitioner and both got married on 04.03.2021 as per the Hindu Rites and Customs. However, the petitioner and the detinue were taken to the police station at Virudhunagar, where the detinue wanted to live with the petitioner, but the second respondent permitted his wife, the detinue herein to go with the fourth respondent by force and thereafter, he could not trace the detinue and hence, the present petition.

3.When the matter is taken up for hearing today, the petitioner as well as the detinue appeared before this Court. On enquiry, the detinue would state that she married the petitioner on 04.03.2021, but subsequently, she found that he does not attain the age of marriage, hence, she is now residing with her parents.

4.In the light of the above statement of the detinue, she is set at liberty and the Habeas Corpus Petition is closed by giving liberty to the petitioner to work out his remedy in a manner known to law.

Sd/-

Assistant Registrar ()

// 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 Superintendent of Police,
Virudhunagar District,
Virudhunagar.



2.The Inspector of Police,
All Women Police Station,
Virudhunagar.

3.The Inspector of Police,
Virudhunagar West Police Station,
Virudhunagar.

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

+1 CC to M/s.J.LAWRANCE, Advocate (SR-14389[F] dated 30/03/2021)

H.C.P. (MD) No.481 of 2021
29.03.2021

Ak(11/05/2021) 3P 6C