



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.06.2021

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P. (MD) No.863 of 2021

Ramesh

... Petitioner

-vs-

1.The Superintendent of Police,
District Police Office,
Sivagangai District,
Sivagangai.

2.The Inspector of Police,
Thirukostiyur Police Station,
Sivagangai District.

3.Muthalagu ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondent to produce the detainee, petitioner's wife namely, Swetha, aged 21 years, before this Court and set her at liberty.

For Petitioner : Mr.T.Kumar

For Respondents : Mr.S.Ravi
Standing Counsel for
Tamil Nadu Government

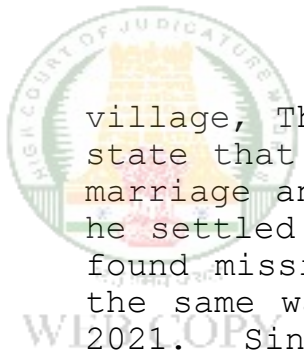
For Detenue : Mr.Prasanna Rajadurai

O R D E R

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

Heard Mr.T.Kumar, learned counsel appearing for the petitioner, Mr.S.Ravi, learned Standing Counsel appearing for the respondents 1 and 2 and Mr.Prasanna Rajadurai, learned counsel appearing for the detainee and perused the materials available on records.

2.The petitioner would state that he married the detainee on 22.05.2021 at Sree Andi Balagar Murugan Temple of Melayampatti
<https://hcservices.ecourts.gov.in/hcservices/>



village, Thiruppathur Taluk, Sivagangai District. He would further state that his elder brother was very instrumental in arranging the marriage and facilitating other things for us. After the marriage, he settled along with his wife at Madaikkaraipattai. While so, she found missing from 27.05.2021. Hence, he lodged the complaint and the same was registered by the second respondent in Crime No.80 of 2021. Since no effective steps were taken to secure the detainee, the present petition has been filed.

3.On instructions, the learned Standing Counsel appearing for the State would submit that the detainee has eloped with the petitioner's elder brother and the detainee's father had lodged a complaint before All Women Police Station, Ponnamaravathi and during investigation, she was secured and now she is staying with her parents.

4.The learned counsel representing for the detainee would also state that the detainee is now residing with her parents.

5.In the light of the above statement, this Habeas Corpus Petition is dismissed by giving liberty to the parties to approach the concerned Court for getting appropriate remedy.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

skn

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,
District Police Office,
Sivagangai District,
Sivagangai.

2.The Inspector of Police,
Thirukostiyur Police Station,
Sivagangai District.



3.The Standing Counsel for Tamil Nadu Government,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.NA.PALANIYANDI, Advocate SR-20587[F] dated 29/06/2021

H.C.P. (MD) No.863 of 2021
29.06.2021

PM(CO)
TR(12.07.2021) 3P 5C