



WEB COPY

H.C.P.(MD) No.937 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :02.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P.(MD) No.937 of 2021

Ezhilvendhan ... Petitioner/Husband of the detenue

-vs-

1.The Commissioner of Police,
Tiruchirappalli District,
Tiruchirappalli.

2.The Inspector of Police,
Cantonment All Women Police Station,
Tiruchirappalli District.

3.Kulanthaisamy ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 and 2 to produce the body or person of Petitioner's wife/detenue namely, Medona Preethi, wife of Ezhilvendhan(aged 24 years) before this Court and set her at liberty.

For Petitioner : Mr.M.Pandian

For Respondents : Mr.S.Ravi
1 and 2 Standing Counsel for the State

O R D E R

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

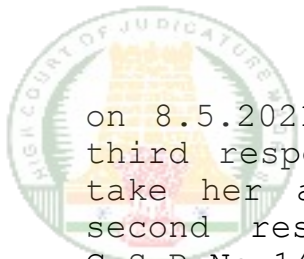
The prayer in the Habeas Corpus Petition is to direct the respondents 1 and 2 to produce the Petitioner's wife namely, Medona Preethi, aged 24 years before this Court and set her at liberty.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The Petitioner would claim that he is doing construction business in the name and style of 'SB Construction', in Trichy. Though he and the detenue belong to different religion, they fell in love with each other and got married on 3.2.2021 at Srirangam Ranganathar Temple, Tiruchirappalli, without informing their parents.

4.He would further state that since the marriage was not accepted by his parents, they decided to live separately. Whiles,

<https://hcservices.ecourts.gov.in/hcservices/>



on 8.5.2021 at about 6.00 p.m., when his wife went to Office, the third respondent, who is the father of the detainee, beat her and take her along with him. Hence, he lodged a complaint with the second respondent on 14.5.2021 and the same was received and C.S.R.No.144 of 2021 was issued. But no action was taken subsequently to secure the detainee. Hence the Petitioner has come forward with the present Habeas Corpus Petition.

5.The learned Standing Counsel appearing for the respondents 1 and 2 , on instructions, would state that in pursuant to the complaint of the Petitioner, dated 14.5.2021, an enquiry was conducted by the second respondent. He further stated that the detainee by letter, dated 20.5.2021, has sent a statement denying her marriage with the Petitioner. Despite the same, in view of the insistence of the Petitioner, she appeared before the second respondent on 25.6.2021 and further statement was given in the presence of the petitioner, in which also, she has denied the marriage with the Petitioner.

6.In the light of the above statement and on going through the papers, we see that except the invitation and photograph, no other material has been placed in the typed-set of papers to show that the Petitioner had married the detainee. Hence, we find no merit in the Habeas Corpus Petition.

7.Accordingly, the Habeas Corpus Petition stands dismissed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsn

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,
Tiruchirappalli District,
Tiruchirappalli.

2.The Inspector of Police,
Cantonment All Women Police Station,
Tiruchirappalli District.

<https://hcservices.hc.mysore.gov.in/hcservices/>



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

WEB COPY

H.C.P. (MD) No.937 of 2021

02.07.2021

KK(09.07.2021) 3P 4C