



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :29.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN  
and  
THE HONOURABLE MRS.JUSTICE S.ANANTHI

H.C.P. (MD) .No.1591 of 2021

K.Sahull Hameed ... Petitioner/Husband of the detenu

-vs-

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

2.The Inspector of Police,  
Kalayarkoil Police Station,  
Sivagangai.

3.Paneerselvam ... Respondents

**PRAYER** : Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Habeas Corpus, directing the respondent Nos.1 and 2 to secure the body or person of the detainee namely Priyanka, W/o.K.Sahul Hameed, D/o.Paneer Selvam, aged about 24 years and produce her before this Court and set her at liberty.

|                |                              |
|----------------|------------------------------|
| For Petitioner | :Ms.T.Lavanya                |
| For R-1 & R-2  | :Mr.S.Ravi,                  |
|                | Additional Public Prosecutor |

### O R D E R

**(Order of the Court was made by V. BHARATHIDASAN, J.)**

Alleging that the petitioner's wife by name Priyanka, D/o.Paneer Selvam, aged about 24 years, is in the illegal custody of the third respondent, who is the father of the detainee, the present Habeas Corpus Petition has been filed.

2. According to the petitioner, he and the detainee Priyanka studied together at K.M.College of Pharmacy, Madurai and they loved each other and subsequently, got married at Thirupparankundram. Thereafter, the third respondent father of the detainee took the detainee with him and illegally detained her. Hence, the petitioner filed a complaint before the Superintendent of Police, Sivagangai.



But so far no action has been taken by the police. Hence, the present Habeas Corpus Petition has been filed.

3. When the matter is taken up for hearing today, Mr.S.Ravi, learned Additional Public Prosecutor, on instructions would submit that the detainee has been secured and produced before this Court.

4. The detainee is present before this Court. On enquiry, the detainee has stated that both the detainee and the petitioner studied together and loved each other. Subsequently, got married. Now, she wants to go with the petitioner. However, the mother of the petitioner, who is also present before this Court compelled the detainee to come with her. But, the detainee wants only to go with the petitioner.

5. The statement made by the detainee is recorded. Considering the fact that the detainee is a major and she said to have married with the petitioner and she wants to go with him, she is permitted to go with the petitioner.

6. This Habeas Corpus Petition is ordered accordingly.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pm

**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,  
Sivagangai District,  
Sivagangai.

2.The Inspector of Police,  
Kalayarkoil Police Station,  
Sivagangai.

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



+1 CC to M/s.T. LAVANYA, Advocate ( SR-33458[F] dated 01/11/2021 )

H.C.P. (MD) No.1591 of 2021  
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SVN(CO)

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