



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.12.2021

CORAM:

**THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
and
THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
H.C.P. (MD) No.1799 of 2021**

Velmurugan

... Petitioner/

Husband of the Detenue

-vs-

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

2.The Inspector of Police,
Sinthamanipatti Police Station,
Karur District.

3.The Inspector of Police,
All Women Police Station,
Kulithalai,
Karur District.

4.Kannan

5.Chitra

... 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 body of the petitioner's wife namely Archanadevi, D/o.Kannan, aged 19 years old woman resident of T.Idaiyapatti, Kadavur Taluk, Karur District before this Court and set her at liberty.

For Petitioner : Mr.R.Murugappan

For R1 to R3 : Mr.S.Ravi

Additional Public Prosecutor

O R D E R

[Order of the Court was made by DR.G.JAYACHANDRAN,J.]

The petitioner herein claiming himself as husband of the detenue Archanadevi, aged about 19 years, has filed this Habeas Corpus Petition, to produce the detenue namely Archanadevi, D/o.Kannan, before this Court and set her at liberty.



2. The petitioner states that he and the said Archanadevi were in love and decided to marry on 14.11.2021 and they went to Devarmalai, Narasinga Perumal Temple, Karur District and exchanging garland and tied Thali. After solemnising the marriage in the aforesaid manner, they decided to get shelter in the police station. However, before they could reach the police station, the parents and the relatives of said Archanadevi intercepted, forcibly abducted them and took the Archanadevi in their custody and hence, the present habeas corpus petition has been filed.

3. The second respondent police has brought the girl along with the parents. The petitioner also present before this Court today. Enquiry of the girl reveals that the petitioner herein working as Supervisor in a private company where she joined as a labourer and she went along with him on 14.11.2021 without informing her parents, but knowing her elopement, her parents rescued her from the petitioner and she is living with her parents without any compulsion and she is not interested in joining the petitioner.

4. There is no evidence to show that the petitioner herein married the said Archanadevi. The detainee is a major. The said Archanadevi, who is alleged to be under illegal custody, now expresses to stay with her parents and not interested to go with the petitioner.

5. In view of the above, this habeas corpus petition is dismissed, since she is alive and not in illegal custody.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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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,
Karur,
Karur District.



2.The Inspector of Police,
Sinthamanipatti Police Station,
Karur District.

3.The Inspector of Police,
All Women Police Station,
Kulithalai, Karur District.

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

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TP (CO)
GC (11.01.2022) 3P 5C