



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.02.2022

Coram

The Honourable Mr. Justice P.N.PRAKASH
and
The Honourable Mr. Justice A.A.NAKKIRAN

H.C.P.No.264 of 2022

Ajithkumar

.. Petitioner

Vs.

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

2.The Inspector of Police,
Arambakkam Police Station,
Thiruvallur District.

3.Ponnusamy

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents herein to produce the wife of the petitioner Kaviya, 20 years, before this Court and set her at liberty forthwith.

For Petitioner : Ms.Gayathri
for Mr.P.Chandrasekar

For Respondents : Mr.R.Muniyapparaj,
Addl. Public Prosecutor

ORDER

[Made by P.N.PRAKASH, J.]

This habeas corpus petition has been filed seeking a direction to the respondents herein to produce the wife of the petitioner viz., Kaviya, aged about 20 years, before this Court and set her at liberty forthwith.

2. It is the case of the petitioner that he fell in love with one Kaviya and they both got married on 12.08.2021. According to the petitioner, Kaviya's father Ponnusamy, third respondent herein and others forcibly took her away on 24.12.2021 and had keeping her in illegal custody.



3. Today G.Raguram (Mobile No.94981 47352), Sub-Inspector of Police, Arambakkam Police Station, Thiruvallur District, is present.

4. On instructions, the Additional Public Prosecutor submitted that Kaviya hailed from Kovilpatti in Tuticorin District and she went missing from her house on 24.07.2021, in connection with which, her father Ponnusamy, third respondent, gave a complaint, based on which, a case in Tuticorin SIPCOT Police Station Crime No.329 of 2021 for 'woman missing' was registered; thereafter, Ponnusamy, third respondent, filed H.C.P.No.1245 of 2021 in the Madurai Bench of Madras High Court for production of Kaviya; while that being so, on 24.12.2021, Ponnusamy, third respondent, took Kaviya to his house and since then, Kaviya is with him.

5. Kaviya appeared before this Court via video conferencing and stated that she is not in the illegal detention of her father and she is living there on her own volition.

6. Since Kaviya is not in the illegal detention of anyone, no writ of habeas corpus can be issued.

In the result, this habeas corpus petition stands closed.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

nsd

To

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

2.The Inspector of Police,
Arambakkam Police Station,
Thiruvallur District.

3.The Public Prosecutor,
High Court, Madras.

H.C.P.No.264 of 2022

KG (CO)
PR (08/03/2022)