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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2022

Coram

THE HONOURABLE MR. JUSTICE P.N.PRAKASH
and
THE HONOURABLE MR. JUSTICE A.A.NAKKIRAN

H.C.P.No.299 of 2022

Deepak
S/o.Chakkravarthi

.. Petitioner/
Husband of the detainee

Vs.

1. The Superintendent of Police,
Sathuvachari, Vellore.
2. The Inspector of Police,
Ariyur Police Station,
Vellore District.
3. Sasi Kumar
S/o.Srinivasan

4.Devaraj

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus seeking a direction to the respondents 1 and 2 to produce the body of, the detainee, namely Rohini, aged 19 years, the wife of petitioner from the illegal custody of respondents 3 and 4 and set her at liberty before this Court.

For Petitioner : Mr.C.Anbu

For Respondents: Mr.R.Muniyapparaj

Additional Public Prosecutor [R1 & R2]

ORDER

[Order of the Court was made by P.N.PRAKASH, J]

This petition has been filed seeking a direction to the respondents 1 and 2 to produce the wife of the petitioner, the detainee, Rohini, aged 19 years, from the illegal custody of respondents 3 and 4 and set her at liberty before this Court.

2. It is the case of the petitioner that he was in love with



one Rohini and got married to her on 30.11.2021 in a Mariamman Temple, Agram Village and that on 14.01.2022, Rohini was forcibly taken away from him by respondents 3 and 4. On these allegations, the petitioner has filed the present petition.

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3. On our instructions, the second respondent police produced Rohini from Vemagal Police Station in Kolar District via video conferencing.

4. When we enquired Rohini, she stated that her date of birth is 22.11.2003 and that the petitioner is her friend's brother. Rohini stated that she is not in the illegal custody of respondents 3 and 4 and that she is voluntarily staying in her grandmother's house in Thayalur village, Mulbagal Taluk, Kolar District.

5. In such view of the matter, the detenue Rohini is not in the illegal custody of anyone warranting issuance of a Writ of Habeas Corpus.

Accordingly, the Habeas Corpus Petition is closed with liberty to the petitioner to work out his remedy in the manner known to law.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

gm
To

1. The Superintendent of Police,
Sathuvachari, Vellore.
2. The Inspector of Police,
Ariyur Police Station,
Vellore District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.C.Anbu, Advocate, S.R.No.13192

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GPL(CO)
CT 15/03/2022