



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.04.2022

CORAM

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

H.C.P.NO.609 OF 2022

S.Jayabarathy

.. Petitioner

Vs.

1. State represented by
The Superintendent of Police,
Cuddalore District.

2. The Deputy Superintendent of Police,
Cuddalore, Cuddalore District.

3. The Inspector of Police,
Mantharakuppam Police Station,
Cuddalore Taluk, Cuddalore District.

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents to produce the victim viz., Nivetha, W/o.Jayabarathy, aged about 20 years, who is now under illegal custody of her parents, before this Court.

For Petitioner : Mr.K.Natarajan

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 to produce the victim viz., Nivetha, W/o.Jayabarathy, aged about 20 years, who is now under the illegal custody of her parents, before this Court.



2. It is the case of the petitioner that he got married to Nivetha, aged about 20 years, on 21.03.2022 and she is in the illegal custody of her parents.

3. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by Jayasakthi, mother of Nivetha, a case in Mandharakuppam Police Station Crime No.209 of 2022 was registered on 21.03.2022 for 'woman missing' and during the course of investigation, it came to light that the petitioner is the first cousin of Nivetha on her paternal side; in other words Nivetha is the sister of the petitioner.

4. Under such circumstances, it cannot be stated that Nivetha is in the illegal custody of her parents for the issuance of a writ of habeas corpus.

In the result, this habeas corpus petition stands dismissed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

nsd

To

1. The Superintendent of Police,
Cuddalore District.
2. The Deputy Superintendent of Police,
Cuddalore, Cuddalore District.
3. The Inspector of Police,
Mantharakuppam Police Station,
Cuddalore Taluk, Cuddalore District.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.Natarajan, Advocate, S.R.No.27419

H.C.P.No.609 of 2022

GSM(CO)
PM/04/05/2022