



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.05.2022

CORAM :

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

H.C.P.NO.875 OF 2022

Nagarajan

... Petitioner

Vs.

1. The Superintendent of Police,
Villupuram Superintendent of Police Office,
Villupuram District.
2. The Inspector of Police,
Brammadesam Police Station,
Villupuram.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for a direction directing the respondents to produce the body or person of the detainee's namely Elavarasi @ Santhiya wife of Nagarajan aged about 26 years before this Court and set her at liberty.

For Petitioner	:	Mr.S.Sankar
For Respondents	:	Mr.R.Muniyapparaj Additional Public Prosecutor

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM, J.)

The Habeas Corpus Petition is filed to direct the respondents to produce the detainee Elavarasi @ Santhiya aged about 26 years.

2. The petitioner states that he married the detainee Elavarasi @ Santhiya on 05.01.2022 in a temple namely Sendraya Perumal Temple, Omallur Taluk, Salem. The detainee was living in the matrimonial home for about three days and thereafter, she went to her parents house. The petitioner further states that the detainee's parents are illegally detaining his wife and therefore, he is constrained to move the present Habeas Corpus Petition.



3. The detinue Elavarasi @ Santhiya has been produced before this Court. On enquiry by this Court, the detinue states that she had voluntarily joined her parents and there was no compulsion. It is the petitioner who left the matrimonial home on account of community issues and thereafter, the petitioner refused to take back her to the matrimonial home. Thus, she went her parents house and agreed for another marriage with one Ram Kumar. Accordingly, the marriage between the detinue and the said Ram Kumar was solemnized on 11.02.2022 and she is living her life happily.

4. The detinue further informed us that the petitioner is harassing her family life with her husband Ram Kumar by filing unnecessary petition and by giving complaints.

5. The learned counsel for the petitioner made a submission that the petitioner has no such intention to harass the detinue and accordingly given an undertaking memo before this Court stating that the petitioner will not interfere with the affairs of the detinue or her family members.

6. In view of the said undertaking, we are of the considered opinion that no further adjudication is required and the parties are bound to lead their life in their own way and the petitioner cannot interfere with the life of the detinue hereafter.

7. Accordingly, this Habeas Corpus Petition stands disposed of.

Sd/-

Assistant Registrar/Vacation Officer

//True Copy//

Sub Assistant Registrar

Anu/Sgl

To

1. The Superintendent of Police,
Villupuram Superintendent of Police Office,
Villupuram District.
2. The Inspector of Police,
Brammadesam Police Station,
Villupuram.
3. The Public Prosecutor,
High Court of Madras.

H.C.P.No.875 of 2022

KJ(CO)

RLP(27/05/2022)