

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 25.05.2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR. JUSTICE C.SARAVANAN

HCP.No.917/2022

K.Mayilsamy .. Petitioner/Husband of detainee

Versus

1. The Superintendent of Police
Office of the Superintendent of Police
Erode District.

2. The State rep.by
The Inspector of Police
Anthiyur Police Station,
Erode District.

3. Jayamoorthy .. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Habeas Corpus directing the 2nd respondent to produce petitioner's wife Mrs.Ramyadarshini, W/o.K.Mayilsamy, aged about 26 years bodily or in person before this Court and set her at liberty.

For Petitioner : Mr.N.Chinnaraj

For RR 1 & 2 : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.,]

- (1) The Habeas Corpus Petition has been instituted to direct the respondent to produce the detainee / petitioner's wife namely, Mrs. Ramyadarshini W/o.Mr.Mayilsami, aged about 26 years before this Court and set her at liberty.

- (2) The learned counsel for the petitioner states that the petitioner married the detenue on 24.09.2021 and living with her. Subsequently, she has been illegally detained by the 3rd respondent who is none other than the father of the detenue.
- (3) Mr.A.Gokulakrishnan, learned Additional Public Prosecutor appearing for respondents 1 and 2 objected the said contention by stating that the detenue has given a statement that she is not willing to live with the petitioner herein and further, the petitioner also, along with some other persons, harassed the detenue as well as her family members. The police conducted the enquiry and recovered the certificates belonged to the detenue and handed over to her. The detenue expressed her unwillingness to join with the petitioner and therefore, it is not a case of illegal detention.
- (4) In view of the facts and circumstances, no further adjudication needs to be undertaken and accordingly, the Habeas Corpus Petition stands dismissed.

Sd/-
Assistant Registrar(Vacation Officer)

//True Copy//

Sub Assistant Registrar

AP

To

1. The Superintendent of Police
Office of the Superintendent of Police
Erode District.
2. The Inspector of Police
Anthiyur Police Station,
Erode District.
3. The Public Prosecutor
High Court, Madras.

HCP.No.917/2022

AJS(CO)
SU(30/05/2022)