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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2022

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
AND
THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

H.C.P.NO.990 OF 2022

M.Ranjith

...Petitioner

Vs.

1.The Commissioner of Police,
Vepery,
Chennai - 600 007.

2.The Inspector of Police,
R-10, M.G.R. Nagar Police Station,
Chennai - 600 083.

3.Mariyammal.

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents to cause the production of the body and person of the petitioner's wife Sathya Ranjith, aged about 18 years, before this Court and set her at liberty.

For Petitioner : Mr. G.Mohanakrishnan

For Respondents 1 & 2 : Mr. E.Raj Thilak
Additional Public Prosecutor

ORDER

(Hearing was made through Hybrid Mode)

S.VAIDYANATHAN, J.,
and
A.D.JAGADISH CHANDIRA, J.,

This Habeas Corpus Petition has been filed by the petitioner to direct the respondents to cause the production of his wife Sathya Ranjith before this Court and set her liberty.



2. The case of the petitioner is that he fell in love with one G.Sathya Ranjith, daughter of Gandhi Aasaari, residing at No.44A, Rajiv Gandhi Street, Kanu Nagar, Nesappakkam, Chennai, and she was born on 03.05.2004 and they decided to get married after the alleged detainee attains majority. While so, coming to know about their love affair, the parents of the said G.Sathya have compelled her to marry someone against her choice and thereby, she eloped from her house on 27.04.2022. The petitioner and the alleged detainee Sathya Ranjith got married on 06.05.2022 at Erali Amman Kovil, Vedanthangal, Madurantakam, Chengalpet District, as per the Hindu Rites and Customs.

3. The further case of the petitioner is that the third respondent who is the mother of the alleged detainee had given a complaint to the second respondent in respect of missing of her daughter and the second respondent had registered a case in Crime No.245 of 2022 under the caption "Girl Missing". Thereafter, the petitioner and his wife were secured by the second respondent and the case was altered for the offences under POCSO Act and the petitioner was remanded to judicial custody on 07.05.2022. It is the further case of the petitioner that his wife was sent to the 'Home' and later she had been handed over to the third respondent. It is the further case of the petitioner that his wife was in touch with him through 'Instagram' App till 21.05.2022. Since the petitioner did not receive any messages from the alleged detainee from 22.05.2022, he had contacted the third respondent and she had given evasive replies. Contending that his wife was in illegal custody, the present Habeas Corpus Petition has been filed by the petitioner.

4. This Court, by order dated 02.06.2022, has directed the second respondent to secure the girl and produce the girl before this Court. Pursuant to the order passed by this Court, the detainee Sathya Ranjith D/o. Gandhi Aasaari, is produced before this Court.

5. This Court, inquired the alleged detainee Sathya Ranjith. She submitted that she had got married with the petitioner after she attained majority on 06.05.2022 at Erali Amman Kovil at Vedanthangal, Madurantakam. She further submitted that she is not in illegal detention of anybody and she does not want to go along with the petitioner.

6. The alleged detainee G.Sathya is born on 03.05.2004 and as on today, she is a major and she is free to take her own decision. She submitted that she is not in illegal detention of anyone and she now wants to go along with her mother.



7. Recording the submission of G.Sathya and finding that the said G.Sathya is not in illegal detention, the Habeas Corpus Petition stands closed.

Sd/-

Assistant Registrar(CO)

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// True Copy //

Sub Assistant Registrar

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To

- 1.The Commissioner of Police,
Vepery,
Chennai - 600 007.
- 2.The Inspector of Police,
R-10, M.G.R. Nagar Police Station,
Chennai - 600 083.
- 3.The Public Prosecutor,
High Court, Madras.

H.C.P.No.990 of 2022

MG(CO)
RVM(30/06/2022)