



WEB COPY



HCP No. 1191 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2022

Coram

The Hon'ble Mr. Justice **S.VAIDYANATHAN**
and
The Hon'ble Mr. Justice **A.D.JAGADISH CHANDIRA**

H.C.P. No. 1191 of 2022

S.Manikandan

.. Petitioner

Vs.

1. The District Superintendent of Police,
Office of the District Superintendent,
Pothinayanapally, Jakkappan,
Krishnagiri – 635 001.

2. The Inspector of Police,
Kandhikuppam Police Station,
Krishnagiri – 635 108.

3. N.B.Munirajalu

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of Habeas Corpus to direct the respondents 1 and 2 to produce the body or person of the petitioner's wife namely Kaviya, D/o. Munirajalu, aged about 20 years, before this Court and set her at liberty.

For Petitioner : Mr. W.Camyles Gandhi

For Respondents : Mr. M.Babu Muthumeeran



HCP No. 1191 of 2022

1&2

Addl. Public Prosecutor

ORDER

WEB COPY

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

This petitioner has been filed by the husband seeking production of his wife Kaviya D/o. Munurajalu, aged 20 years, before this Court.

2. The case of the petitioner is that he had developed love affair with the daughter of the third respondent who is the alleged detainee which was known to the third respondent's family and the same is opposed. On 22.05.2022, the detainee came to Krishnagiri and insisted the petitioner to marry him. Since the same was informed to the petitioner's parents, on 01.06.2022, the marriage was solemnized as per Hindu rites and customs. It is stated that the parents of the detainee came to the house of the petitioner, accepted the marriage and they requested the petitioner and the alleged detainee to come to Tirupathi where they were residing and that the marriage would be performed as per the customary rights which the parents of the petitioner accepted. But contrary to the promise, the third respondent had lodged a complaint to the police stating that her daughter was missing. The petitioner had lodged a complaint to the second



HCP No. 1191 of 2022

respondent and since no action has been taken by the second respondent, a detailed representation dated 08.06.2022 was also given to the first respondent and thereafter the present habeas corpus petition has been filed.

3. After notice, the respondent police had secured and produced the alleged detainee Kaviya D/o. Munirajalu. The third respondent, his wife and the petitioner are also present before this Court. This enquired the alleged detainee Kaviya D/o. Munirajalu. She submitted that her date of birth is 23.03.2002 and that she had attained majority. She further submitted she is willing to go along with her husband, the petitioner herein.

4. Since the alleged detainee Kavya D/o. Munirajalu, had expressed her willingness to go along with the petitioner, the Habeas Corpus Petition stands closed.

(S.V.N.,J.) (A.D.J.C.,J.)
18.07.2022

Index: Yes/No
bkn



WEB COPY



HCP No. 1191 of 2022

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

bkn

To:

1. The District Superintendent of Police,
Office of the District Superintendent,
Pothinayanapally, Jakkappan,
Krishnagiri – 635 001.
2. The Inspector of Police,
Kandhikuppam Police Station,
Krishnagiri – 635 108.
3. The Public Prosecutor,
High Court, Madras.

H.C.P. No. 1191 of 2022

18.07.2022