



H.C.P.No.2058 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 26.10.2022

Coram

**THE HONOURABLE MR. JUSTICE P.N.PRAKASH
and
THE HONOURABLE MR. JUSTICE RMT. TEEKAA RAMAN**

H.C.P.No.2058 of 2022

Steve Waugh
S/o.Prabakaran

... Petitioner

Vs.

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

2.The Inspector of Police,
Annur Police Station,
Coimbatore District.

3.Chandrasekar

4.Sudha
W/o.Chandrasekar

... Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus directing the respondents 1 and 2 herein to produce the petitioner's wife, namely, Eniya Geetha, aged about 19 years, before this Court from the illegal custody of respondents 3 and 4 herein and set her at liberty.



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For Petitioner : Mr.C.Magesh Kumar

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor [R1 & R2]
Mr.M.Suresh Viswanath &
Mr.M.Devaraj [R3 & R4]

ORDER

[Made by **P.N.PRAKASH, J.**]

This petition has been filed seeking a direction to the respondents 1 and 2 herein to produce the petitioner's wife, namely, Eniya Geetha, aged about 19 years, before this Court from the illegal custody of respondents 3 and 4 herein and set her at liberty.

2. It is the case of the petitioner that he fell in love with Eniya Geetha and got married to her on 05.09.2022 at Madha Temple in Besant Nagar, Chennai and after marriage, his wife was living with him in his house. However, she was forcibly taken away by her parents on 26.09.2022 and they are not permitting his wife to join him. On these allegations, the present petition has been filed.



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3. On 17.10.2022, we passed the following order:

"Today, K.Silambarasan (Mobile No.94981 48100), Sub-Inspector of Police, Annur Police Station, Coimbatore District, is present.

2. Mr.R.Muniyapparaj, learned Additional Public Prosecutor takes notice for the respondents 1 and 2.

3. Notice to the respondents 3 and 4 returnable by 26.10.2022. Private notice is also permitted.

4. In the facts and circumstances of the case, we are of the view that the alleged detainee Eniya Geetha, aged about 19 years, should be produced before this Court and therefore, we direct the second respondent/police to produce her before this Court on 26.10.2022. The petitioner shall also be present before this Court on that day.

Post the matter on 26.10.2022."

4. Today, Mr.K.Silambarasan, Sub-Inspector of Police, Annur Police Station [Mobile No.: 94981 48100], is present. The petitioner, respondents 3 and 4 and Eniya Geetha are also present.

5. We enquired Eniya Geetha. She stated that her date of birth is 22.12.2003; she is studying II year B.Com in a college in Coimbatore; she got acquainted with the petitioner *via* Instagram, fell in love and got married to



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him; after marriage she was in the petitioner's house and thereafter, she was taken away by her parents. When we pointedly asked her as with whom she wants to go, she categorically stated that she wants to go with the petitioner. Since Eniya Geetha is not a minor and further, when she is willing to go along with the petitioner, she is set at liberty to chalk out her own life.

Accordingly, this Habeas Corpus Petition is closed.

[PNP, J.] [TKR, J.]
26.10.2022

Index: Yes/No
gm

To

- 1.The Superintendent of Police,
Coimbatore District.
- 2.The Inspector of Police,
Annur Police Station,
Coimbatore District.
- 3.The Public Prosecutor,
High Court, Madras.



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