



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2022

Coram

THE HONOURABLE MR. JUSTICE P.N.PRAKASH
and
THE HONOURABLE MS. JUSTICE R.N.MANJULA

H.C.P.No.2138 of 2021

P.Srinivasan
S/o.Pazhani

.. Petitioner

Vs.

1.The Superintendent of Police,
Kancheepuram,
Kancheepuram District.

2.The Inspector of Police,
B1, Siva Kanchi Police Station,
Kancheepuram.

3.Deivasigamani

4.D.Sudhakar
S/o.Deivasigamani

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the respondents 1 and 2 herein to produce the body of the petitioner's wife viz., Premalatha, aged 25 years, before this Court from the custody of the respondents 3 and 4 and set her at liberty forthwith.

For Petitioner : Mr.K.Gokulram

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

[Order of the Court was 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 viz., Premalatha, aged 25 years, before this Court from the



custody of the respondents 3 and 4 and set her at liberty forthwith.

2. On 04.01.2022, we passed the following order:

'When the matter was taken up for hearing, the Inspector of Police, B1, Siva Kanchi Police Station, Kancheepuram, produced the detainee Premalatha via video conferencing.

2. When enquired by us, the detainee Premalatha stated that she got married to the petitioner, but her father was not agreeable for the marriage and in order to pacify them, she is living away from her husband in her father's house. She further stated that she wants to join her husband and she has still got love for him.

3. We direct the second respondent viz., Inspector of Police, B1, Siva Kanchi Police Station, Kancheepuram, to produce the detainee Premalatha and her father before us on 05.01.2022 and the petitioner also be present.

4. Registry is directed to grant special permission to the second respondent as well to the detainee Premalatha, her father and the petitioner to appear before this Court on 05.01.2022.

Post on 05.01.2022.'

3. Today, Mr.E.Mahendiran, Special Sub-Inspector of Police and Ms.Deepa, WPC 2978, Sivakanchi Police Station, Kancheepuram District, are present. The detainee Premalatha and her parents Deivasigamani and Kannagi are present. The petitioner is also present.

4. When enquired by us, Premalatha stated that her date of birth is 01.07.1996 and that she has completed M.Sc(bio-chemistry). She further stated that she now wants to go with the petitioner. Since Premalatha is a major and is capable of taking informed decisions, we are setting her at liberty to chalk out her life.

5. Since in the petition itself, it is alleged that the petitioner and the detainee belong to different caste and that is the reason for disapproval of their marriage, we direct the respondents 1 and 2 to ensure that no harm befalls them.



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With the above direction, this Habeas Corpus Petition is closed.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

Gm

To

- 1.The Superintendent of Police,
Kancheepuram,
Kancheepuram District.
- 2.The Inspector of Police,
B1, Siva Kanchi Police Station,
Kancheepuram.
- 3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.Gokul Ram, Advocate SR.No.803

H.C.P.No.2138 of 2021

SMI(CO)
GN(21/01/2022)