



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.06.2022

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

AND

THE HONOURABLE MRS.JUSTICE S.SSRIMATHY

H.C.P(MD)No.862 of 2022

K.Karthika (mother of the Detentue)

... Petitioner

Vs.

1.The Sub-Inspector of Police,
Chinnamanor Police Station,
Chinnamanur, Uthamapalayam Taluk,
Theni District - 625 524.

2.R.Vinoth

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Habeas Corpus, directing the first respondent to produce the person or body of the detentue namely Vinitha, the petitioner's daughter aged 19 years before this Honourable Court and set her at liberty.

For Petitioner : Mr.R.Saravanan

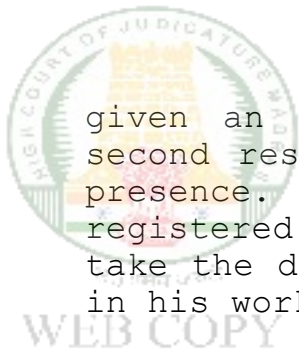
For R-1 : Mr.S.Ravi,
Additional Public Prosecutor

O R D E R

(Order of the Court was made by S.S.SUNDAR, J.)

The detentue is the elder daughter of the petitioner. Alleging that the second respondent herein had taken her daughter illegally, the above Habeas Corpus Petition is filed to direct the first respondent to produce the person or body of the detentue namely Vinitha, aged 19 years, before this Honourable Court and set her at liberty.

2. Pursuant to the direction of this Court, the detentue was secured and produced before this Court. The second respondent is also present today. On enquiry, the detentue submitted that she had on her own, voluntarily left her home and married the second respondent on 06.06.2022 and that, she is not in illegal custody of the second respondent. She has also produced the marriage certificated issued by Mr.M.Garkey, the President of Participants and Supporters of Inter Caste - Inter Religion Marriages for Social Equality Association. The person who has given the certificate has



given an affidavit to the effect that the marriage between the second respondent and the detinue took place on 06.06.2022 in his presence. The second respondent undertakes to have the marriage registered in accordance with law and that, he may be permitted to take the detinue with him to his quarters specially allotted to him in his work place.

3. Considering the fact that the detinue on her own left the home and married the second respondent, the petitioner/mother has nothing further to say. The learned counsel appearing for the petitioner requested this Court to close this petition.

4. In view of the above, recording the fact that the detinue is not in illegal custody, this Habeas Corpus Petition is closed. The undertaking given by the second respondent is recorded, so that this Court may pursue him for contempt, in case he tries to escape from the contract of marriage.

5. Since the detinue is at liberty to go with the second respondent, the detinue and the second respondent shall be released from the police custody.

Sd/-

Assistant Registrar (CS-I)

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/ /2022

Sub Assistant Registrar(CS)

PM

To

1.The Sub-Inspector of Police,
Chinnamanor Police Station,
Chinnamanur, Uthamapalayam Taluk,
Theni District - 625 524.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.R.SARAVANAN, Advocate (SR-25144[F] dated 10/06/2022)

H.C.P(MD)No.862 of 2022

10.06.2022

RD(20.06.2022) 2P 4C