



WEB COPY



H.C.P.No.346 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2023

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR
and

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

H.C.P.No.346 of 2023

Mr.A.Ragupathi
S/o.Amirthalingam

..

Petitioner/
Husband of detenu

Vs.

1. The Superintendent of Police
Superintendent of Police Office
Tiruppur District
2. The Inspector of Police
Udumalaipettai Police Station
Udumalaipettai
Tiruppur District

3. Mr.John

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus to direct the second respondent to produce the detenu by name R.Vasanth, aged about 23 years, wife of

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A.Ragupathi, now in illegal detention of the third respondent and set her at liberty.

For Petitioner : Mr.T.Elumalai
For Respondents : Mr.S.Raja Kumar
Additional Public Prosecutor

ORDER

[Order of the Court was made by M.NIRMAL KUMAR, J.,]

The petitioner, husband of one R.Vasanthi has lodged a complaint with first and second respondents stating that he knows Vasanthi for the past three years and they had love affair and they belong to different religion and community. While so, on 03.06.2022, both of them got married in a Murugan Temple against the wishes of their parents.

2 .It is further stated by the petitioner that the petitioner's wife conceived and during her fifth month pregnancy, third respondent, father of Vasanthi, informed that Vasanthi's mother is not well and called her to visit her mother. The third respondent promised that he will send Vasanthi within a week's time. Thereafter, Vasanthi not returned. When the



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petitioner contacted his mother-in-law, the third respondent took the phone, abused the petitioner and informed the petitioner that his daughter will not continue her married life with a Hindu and they would make arrangement for her daughter as per their religion and custom. Hence, the petitioner sensing illegal detention of his wife Vasanthi filed the present petition seeking production of his wife Vasanthi before this Court.

3. Today, the petitioner as well as his wife Vasanthi and his parents-in-laws (third respondent and his wife) are present.

4. We had interaction with the petitioner, his wife as well as third respondent. Vasanthi is willing to join her husband and further informed that her pregnancy got aborted due to travel, tension and for other reasons.

5. We had interaction with third respondent also, who informed that his daughter is willing to stay with her parents. However, when we interacted again with Vasanthi, she submitted that she wanted to go with her husband and requested her certificates, which is retained by the third



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respondent. Certificates now handed over by the third respondent to Vasanthi. Since Vasanthi is willing to join the petitioner and both of them are major, Vasanthi to join her husband. It is made clear that third respondent will not attempt any forcible action, threat or by any other means and shall not interfere with their matrimonial life. The jurisdictional police to ensure the safety of the petitioner and Vasanthi and give protection to them if so required.

With the above direction, this Habeas Corpus Petition is disposed of.

(M.S.,J.)

(M.N.K.,J.)

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Index : Yes / No

Speaking / Non-speaking

Neutral Citation : Yes / No

gpa



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To

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High Court, Madras.



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and
M.NIRMAL KUMAR, J.,

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