



HCP(MD)No.36 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 10.01.2023

CORAM

**THE HON'BLE DR.JUSTICE G.JAYACHANDRAN
AND
THE HON'BLE MR.JUSTICE SUNDER MOHAN**

H.C.P.(MD)No.36 of 2023

M.Mohammed Mydeen

.. Petitioner / Husband
of the Detenu

Vs.

1.The Superintendent of Police,
O/o. The Superintendent of Police,
Tenkasi District.

2.The Inspector of Police,
Kadayam Police Station,
Tenkasi District.

3.Eliya

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, to direct the respondents 1 and 2 to produce the person or body of the petitioner's wife, namely, G.E.Jennifer, aged about 22 years, D/o.Eliya, before this Court and set her at liberty.



WEB COPY



HCP(MD)No.36 of 2023

For Petitioner : Mr.I.Pinaygash

For Respondents : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor
for R1 and R2

ORDER

DR.G.JAYACHANDRAN, J.
and
SUNDER MOHAN, J.

Claiming that the detenu, namely, G.E.Jennifer, is his wife and she has been forcibly taken by her father and kept under illegal custody, the present Habeas Corpus Petition is filed by the petitioner.

2. When this Court post a pertinent question as to how the petitioner claims that the detenu is his wife and whether marriage was solemnized, the learned counsel for the petitioner is not able to produce any document except three photographs in which the detenu and the petitioner are seen together. Photograph with a female is *ipso facto* not a proof for marriage of that person. Therefore, when we are about to dismiss this petition with cost, the learned counsel for the petitioner sought leave of this Court to withdraw



HCP(MD)No.36 of 2023

this petition. Leave granted. He made an endorsement to that effect.

WEB COPY

3. Accordingly, this Habeas Corpus Petition is dismissed as withdrawn.

[G.J.,J.] & [S.M.,J.]
10.01.2023

Index: Yes/No
Internet: Yes/No
PJJ

To

1. The Superintendent of Police,
O/o. The Superintendent of Police,
Tenkasi District.

2. The Inspector of Police,
Kadayam Police Station,
Tenkasi District.

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



WEB COPY



HCP(MD)No.36 of 2023

**DR.G.JAYACHANDRAN, J.
and
SUNDER MOHAN, J.**

PJL

H.C.P.(MD)No.36 of 2023

10.01.2023