



H.C.P.(MD) No.675 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.06.2024

CORAM:

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

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P.Balaji

... Petitioner

-vs-

1.The Superintendent of Police
Madurai District

2.The Inspector of Police
Melavalavu Police Station
Madurai District

3.Ramesh

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 and 2 to produce the body or person of the petitioner's wife, namely, Keerthiya, wife of Balaji (Detenue), aged about 20 years, before this Court and set her at liberty.

For Petitioner : Mr.V.Thirumal

For Respondents : Mr.RMS.Sethuraman
Additional Public Prosecutor for R1 & R2

For Detenue : Mr.R.Sevugaraja



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ORDER

[Order of the Court was made by A.D.JAGADISH CHANDIRA, J.]

The petitioner has filed this habeas corpus petition seeking a direction to the respondents 1 and 2 to secure his wife, namely, Keerthiya, aged about 30 years, produce her before this Court and set her at liberty.

2. It is the case of the petitioner that he is working as temporary Watchman in Alagarkovil and he fell in love with the alleged missing girl, namely, Keerthiya, aged about 20 years, who is the daughter of the third respondent. Since they belonged to two different communities, they got married on 25.04.2024 at Thirupparankundram, without the knowledge of their parents. Due to caste difference, their marriage was not accepted by the third respondent and thereby, the petitioner had filed a petition before the respondent – Police seeking protection from the third respondent on 27.04.2024. Subsequently, on 23.05.2024, while he was travelling in his two wheeler along with his wife, the third respondent and his relatives, who had come in a car, intercepted him and after assaulting him, had forcibly taken his wife / missing person and they had also taken his cellphone and two wheeler. Based on the complaint given by the petitioner, a case in Crime No.118 of



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2024 was registered for the offence under Sections 341, 147, 294(b), 323, 342, 324, 379, 365 I.P.C., and due to the injuries suffered, he took treatment as inpatient in the Government Rajaji Hospital, Madurai, from 23.05.2024 to 26.05.2024.

3. It is the further case of the petitioner that he had sent a representation to the Inspector General of Police, South Zone, on 24.05.2024, to interfere in the matter and prevent honour killing of his wife. Since no action had been taken, the petitioner has filed this habeas corpus petition.

4. Learned Additional Public Prosecutor appearing for the respondents 1 and 2, on instructions, would submit that the missing girl is the daughter of the third respondent, aged about 20 years. The petitioner and the missing girl belong to two different communities. They claimed to have married at Thirupparankundram. The petitioner had given a complaint that the third respondent along with his relatives had assaulted him and taken away his wife. Based on the complaint given by him, a case in Crime No.118 of 2024 had been registered by the respondent – Police and investigation is pending. Meanwhile, the detenue had appeared before the respondent – Police and gave a statement that she is not in illegal detention of anybody.



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5. Today, the petitioner, his wife and third respondent are present before this Court.

6. We enquired the detainee. On enquiry, she submitted that the petitioner is known to her and that she had gone along with him and later, on coming to know about his bad character, she had come to her parental home on her own volition and now, she is with her parents and that she is not in illegal detention of anybody.

7. In view of the above submission, we are of the view that the detainee is not in illegal detention of anybody. Hence, no further adjudication is required in this habeas corpus petition and the same is, therefore, closed.

[A.D.J.C., J.]

[K.R.S., J.]

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NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To:

- 1.The Superintendent of Police,
Madurai District.
- 2.The Inspector of Police,
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Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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AND
K.RAJASEKAR, J.

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