



H.C.P.(MD) No.726 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.06.2024

CORAM:

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

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K.Ramamoorthi

... Petitioner

-VS-

1.The Commissioner of Police
Office of the Commissioner of Police
Madurai (City)

2.The Inspector of Police
Theppakulam Police Station
Madurai (City)

3.Latha

... 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 detenu, namely, Abirami, daughter of Esakki, aged about 25 years before this Court and set her at liberty forthwith.

For Petitioner : Mr.V.Selvakumar

For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor for R1 & R2



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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, Abirami, aged about 25 years, produce her before this Court and set her at liberty.

2. It is the case of the petitioner that he and the detenue Abirami loved each other. On 24.01.2024, they got married in a Temple in the presence of their friends. After their marriage, they were living as a husband and wife. However, since he could not register their marriage, she went to her parental house and thereafter, she was kept in illegal detention by her parents. Therefore, on 03.06.2024, he lodged a complaint before the second respondent. However, no action was taken based on his complaint by the respondent – Police. Hence, this habeas corpus petition.

3. Mr.A.Thiruvadi Kumar, learned Additional Public Prosecutor, appearing for the respondents 1 and 2, on instructions, would submit that based on the complaint given by the petitioner, the respondent – Police had conducted an enquiry and during enquiry, the detenue submitted that she



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was not willing to go with the petitioner and hence, she was sent along with her parents.

4. Today, the detainee, her parents as well as the petitioner are present before this Court. We enquired them. On enquiry, the detainee expressed her willingness to go along with the petitioner. The parents of the detainee submitted that they have no objection for their daughter to go with the petitioner and it is upto her wish. The petitioner is also ready to take the detainee along with him and he also submitted that he will take necessary steps to register their marriage forthwith.

5. In view of the above submission, 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.]

24.06.2024

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

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- 2.The Inspector of Police,
Theppakulam Police Station,
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- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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AND
K.RAJASEKAR, J.

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