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HCP.No.230 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH
and
THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

H.C.P.No.230 of 2025

Mohanraj

... Petitioner

Vs.

1. The State rep. by
The Superintendent of Police,
Vellore District, Vellore.
2. The Deputy Superintendent of Police,
Anaicut Range, Vellore District.
3. The Inspector of Police,
Veppankuppam Police Station,
Vellore District.
4. Sumathi
5. The Deputy Commissioner of Police,
Koyambedu Division,
Chennai - Commissionerate.

(R5 - suo-motu impleaded as per order dated 06.02.2025
in H.C.P.No.230 of 2025).

... Respondents



HCP.No.230 of 2025

PRAYER: This Habeas Corpus Petition is filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus to produce the petitioner's wife Priyadharshini, D/o. Balaji (late), Hindu, aged about 22 years before this Court and set her at liberty.

For Petitioner : Mr.G. Anbuchezeiyan

For Respondent : Mr.R.Muniyapparaj
Nos.1 to 3 and 5 Additional Public Prosecutor
Assisted by Mr.M.Sylvester John

For Respondent No.4 : Mr. D. Thirumoorthy

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ORDER

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

Claiming himself as the husband of one Priyadharshini, who is aged about 22 years and that she is kept under illegal custody of the fourth respondent herein, the present Habeas Corpus Petition is filed.

2. The petitioner has also produced a copy of Certificate of Registration of Marriage, which evidences that the marriage of both petitioner and Priyadharshini was solemnised on 11.12.2024 at Tamilnadu Inter Caste Couples Welfare Association, No.113, 103/2, Kamarajapuram 4th



HCP.No.230 of 2025

Street, Nungambakkam (Urban), Egmore, Chennai, and registered in

MC.No.490 of 2024 on the file of the Sub Registrar Office, Chennai Central

Joint II.

3. During the pendency of the Habeas Corpus Petition, we had passed an interim order on 06.02.2025, which reads as follows:-

"The petitioner herein, namely Mohanraj, had married one Priyadarshini D/o. Balaji, born on 06.07.2003, aged about 22 years, on 11.12.2024, which was registered by the Joint Sub-Registrar, Thousand Lights, SRO Chennai Central Joint-II, in Marriage Sl.No.TMR/Chennai Central Joint II/386/2024, dated 11.12.2024. Claiming that the 4th respondent, who is the mother of the petitioner's wife, had illegally detained his wife and refusing to allow him to meet his wife, he had given a complaint to the Inspector of Police, Veppankuppam Police Station, Vellore District on 29.01.2025. He had also made complaints to the Superintendent of Police, as well as the Deputy Superintendent of Police, Vellore District, in this regard. Based on the complaints, the 3rd respondent Police have also registered the complaint in F.I.R.No.521 of 2024, dated 11.12.2024 under the caption "women missing".

2. Today, when the Habeas Corpus Petition was called, the Inspector of Police, Veppankuppam Police Station, Vellore District, physically produced before us the petitioner's wife



WEB COPY



HCP.No.230 of 2025

Mrs.Priyadarshini. She was also accompanied by her mother/4th respondent. We had interacted with the petitioner and his wife Priyadarshini, as well as her mother/4th respondent, in our Chambers.

3. When we had enquired as to with whom the petitioner's wife intends to live, she, in clear terms, expressed that she intends to live with her husband/petitioner. The petitioner is aged about 23 years and claims to have completed B.Sc., Computer Science degree and is employed in a private company and is earning Rs.24,000/- per month. When we interacted with the petitioner, he stated that he lives along with his parents at Alwarthirunagar, Chennai and his family members support his inter-caste marriage. However, Mrs.Priyadarshini expressed certain concern that some harm could be caused to them by her mother and close relatives. She also informed us that her personal belongings, which include her Thali tied by the petitioner herein, her entire educational certificates, her books, etc. are in the possession of her mother and she fears that she may not be in a position to go there personally and collect them.

4. Both the petitioner and his wife, being majors, have consciously taken a decision to live together. Their relationship is also strengthened by a marriage, which has been registered on 11.12.2024 before the Joint Sub-Registrar, Thousand Lights in Marriage Sl.No.TMR/Chennai Central Joint II/386/2024. If that be so, this Court intends to ratify the wishes of both the petitioner and his wife. Since the petitioner's wife has expressed her views to live



HCP.No.230 of 2025

with her husband, she is at liberty to reconcile with the petitioner.

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5. Further, we have also taken into consideration the possible physical harm that could be caused to the petitioner and his wife through the relatives of the petitioner's wife. In this connection, we hereby direct the Deputy Commissioner of Police, Koyambedu Division, Chennai Commissionerate, to depute responsible officers to closely monitor the couple to ensure that no harm is caused to their life and liberty.

6. For such purpose, the Deputy Commissioner of Police, Koyambedu Division, Chennai Commissionerate, is suo motu impleaded as a party respondent in this Habeas Corpus Petition.

7. Since the petitioner's wife has also expressed her concern with regard to collecting her belongings from her mother's house personally, the 3rd respondent/Inspector of Police, Veppankuppam Police Station, Vellore District, is called upon to ensure that all the personal belongings of Mrs.Priyadarshini are secured from the 4th respondent's house, which shall include her Gold Thali, her educational certificates, books, etc. and the same is safely handed over to her.

8. Mr.R.Muniyapparaj, learned Additional Public Prosecutor, takes notice on behalf of the impleaded respondent. He is called upon to communicate a copy of this order to the impleaded respondent.



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HCP.No.230 of 2025

9. Both the impleaded respondent, as well as the 3rd respondent are called upon to file a status report by the next hearing.

10. For recording the status of the case, call the matter on 20.02.2025."

4. Pursuant to the aforesaid order, the petitioner and his wife started to live together. Thereafter, on 20.02.2025, we had directed the Police concerned to monitor the safety of the couple in view of their intercaste marriage and their apprehension that there is some threat from each others' parents.

5. In this background, the matter was listed today before us. Both the petitioner and his wife / detenue are present before us. The learned Additional Public Prosecutor would submit that the Police have been continuously conducting surveillance to safeguard the couple and that the couple are living happily together and there is no threat from the respective parents. The couple, who are also present before us, expressed that they have no inconvenience from any quarters and that they are living together happily. In case, there is any future inconvenience, they are at liberty to approach the jurisdictional Police concerned. In view of the petitioner's



HCP.No.230 of 2025

grievance having been redressed, no further order is required to be passed in this petition.

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6. Accordingly, the Habeas Corpus Petition stands closed.

[M.S.R, J.] [N.S, J.]
21.04.2025

ASI

To

1. The Superintendent of Police,
Vellore District, Vellore.
2. The Deputy Superintendent of Police,
Anaicut Range, Vellore District.
3. The Inspector of Police,
Veppankuppam Police Station,
Vellore District.
4. The Deputy Commissioner of Police,
Koyambedu Division,
Chennai - Commissionerate.
5. The Public Prosecutor,
High Court of Madras, Chennai - 600 104.



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HCP.No.230 of 2025

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and
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H.C.P.No.230 of 2025

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