

H.C.P(MD)No.431 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.04.2025

CORAM:

THE HONOURABLE JUSTICE DR.G.JAYACHANDRAN,

AND

THE HON'BLE MRS.JUSTICE S. SRIMATHY,

H.C.P.(MD) No.431 of 2025

S.Krishnamoorthy

... Petitioner / husband of the detenu

Vs.

1.The State of Tamil Nadu,
The Assistant Commissioner of Police,
Trichy Cantonment,
Trichy – 620 002.

2.The Inspector of Police,
Woraiyur Police Station,
Woraiyur,
Trichy – 620 002.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India
praying for the issue of a Writ of Habeas Corpus, directing the



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Respondents to produce the body of the petitioner's wife namely, B.Bhakiyalakshmi, D/o.Balasubramaniyan, aged about 24 years and before this Court and set her at liberty.

For Petitioner : Mr.J.Sanjoy Vignesh

For Respondents : Mr.E.Antony Sahaya Prabhakar

Additional Public Prosecutor

ORDER

DR.G.JAYACHANDRAN, J.
and
S. SRIMATHY, J.

The petitioner herein, who loved Bhakiyalakshmi and got married at Murugan Temple near Trichy and got the marriage registered, is before this Court alleging that the parents of Bhakiyalakshmi had forcibly taken her away from his company and custody and hence, the present Habeas Corpus Petition has been filed.

2. The respondent police has secured the girl and she is present before this Court along with her parents. On enquiry, the girl say that the petitioner being forcibly taken her to an unknown place and was



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keeping her under confinement and asked to sign certain papers and she is not aware of any solemnization of marriage either in the temple or before the Sub Registrar. However, the petitioner produces the photograph and details about the registration of the marriage.

3. It is a clear case where the petitioner had legalized his marriage with the girl by name, Bhakiyalakshmi. But presently she is not willing to accept the same and want to be with her parents. The custody of Bhakiyalakshmi with her parents is not illegal or by force. Therefore, the petitioner herein has to workout his remedy before the appropriate forum. The Writ of Habeas Corpus Petition is not maintainable.

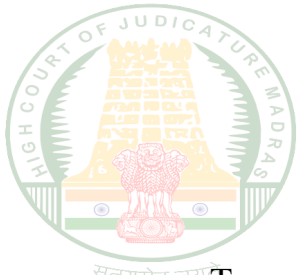
4. Accordingly, this Habeas Corpus Petition stands dismissed.

[G.J., J.] [S.S.Y, J.]
15.04.2025

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

RM

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Trichy Cantonment,
Trichy – 620 002.
- 2.The Inspector of Police,
Woraiyur Police Station,
Woraiyur,
Trichy – 620 002.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.G.JAYACHANDRAN, J.
and
S. SRIMATHY, J.

RM

ORDER MADE IN
H.C.P.(MD) No.431 of 2025

15.04.2025