

(2006) 02 MAD CK 0054

In the Madras High Court

Case No : Habeas Corpus Petition No. 150 of 2006

N. Jayakumar

APPELLANT

Vs

The Inspector of Police and Bijender Singh

RESPONDENT

Date of Decision : 24-02-2006

Acts Referred:

Citation : (2006) 02 MAD CK 0054

Hon'ble Judges : P. Sathasivam, J;J.A.K. Sampathkumar, J

Bench : Division Bench

Advocate : B. Ganesha Moorthy, for the Appellant; Abudukumar Rajarathinam, Government Advocate for R-1 and R-2, for the Respondent

Judgement

P. Sathasivam, J.—The petitioner by name N. Jayakumar has filed this petition for production of his wife B. Neetukumari, aged about 21

years, said to be under the illegal custody of the second respondent, before this Court and to set her at liberty.

2. Pursuant to the direction of this Court, the detenue, viz., B. Neetukumari, appeared before us. On enquiry, she has stated that she is aged about

20 years. She also asserted that she has no connection with the petitioner and denied the allegation including the marriage with him. The second

respondent/father of the detenue has also filed a counter affidavit disputing the claim made by the petitioner including the marriage said to have

taken place between his daughter and the petitioner.

3. In the light of the same and in view of the assertion made by Her date of birth, as per the Transfer Certificate, which is available at page No. 3

of the typed set of papers, is 06.12.1989. Hence, she is a minor as on date. After enquiry, she informed this Court that she is willing to go along with

her mother, viz., the petitioner, who is also present before us. In the light of the statement of the detenue and she being a minor girl, the petitioner is permitted to take the detenue along with her . Petition is disposed of accordingly.