

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2015

CORAM

THE HONOURABLE DR.JUSTICE S.TAMILVANAN
AND
THE HONOURABLE MR.JUSTICE R.MAHADEVAN

H.C.P. No.2357 of 2015

Balabaskaran

... Petitioner

-Vs-

1.The Superintendent of Police,
Cuddalore District, Cuddalore.

2.The Inspector of Police,
Cuddalore New Town Police Station,
Cuddalore.

3.Manimaran

... Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Habeas Corpus directing the respondents 1 and 2 to produce the minor Hemabujavalli, aged about 17 years, before this Court and set her at liberty.

For Petitioner : Mr.N.Suresh

For Respondents : Mr.A.N.Thambi Durai
Additional Public Prosecutor
for R1 and R2

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O R D E R
(Order of the Court made by S.TAMILVANAN,J.)

Heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor appearing for respondents 1 and 2.

2.This petition has been filed by the petitioner/father of the detinue Hemabujavalli, aged about 17 years, to cause production of her daughter before this Court and to set her at liberty.

3.The detinue is secured and produced before this Court by the respondent police. The petitioner/father of the detinue, third respondent/husband of the detinue and the mother of the detinue are also before us. On enquiry, the detinue told us that she is a major and she married the third respondent on her volition. She expressed her willingness to go along with her husband/third respondent herein.

4.The alleged detinue has produced a xerox copy of the certificate issued by the Higher Secondary Examination Department wherein it is seen that the date of birth of the detinue is stated as 26.09.1997 and to substantiate the marriage solemnised between the alleged detinue and the third respondent, she has produced another certificate issued by Sub Registrar, Registrar of Marriages, Erode District. From the document produced by the alleged detinue, it is crystal clear that the alleged detinue is a major and their marriage has been solemnised, according to law.

5.Recording the statement made by the detinue to the effect that there is no illegal detention, we are of the view that this petition could be closed as nothing further remains to be considered in this petition.Accordingly,this petition is closed.

Sd/-
Assistant Registrar(CS VI)

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Sub Assistant Registrar

To

1.The Superintendent of Police,
Cuddalore District, Cuddalore.

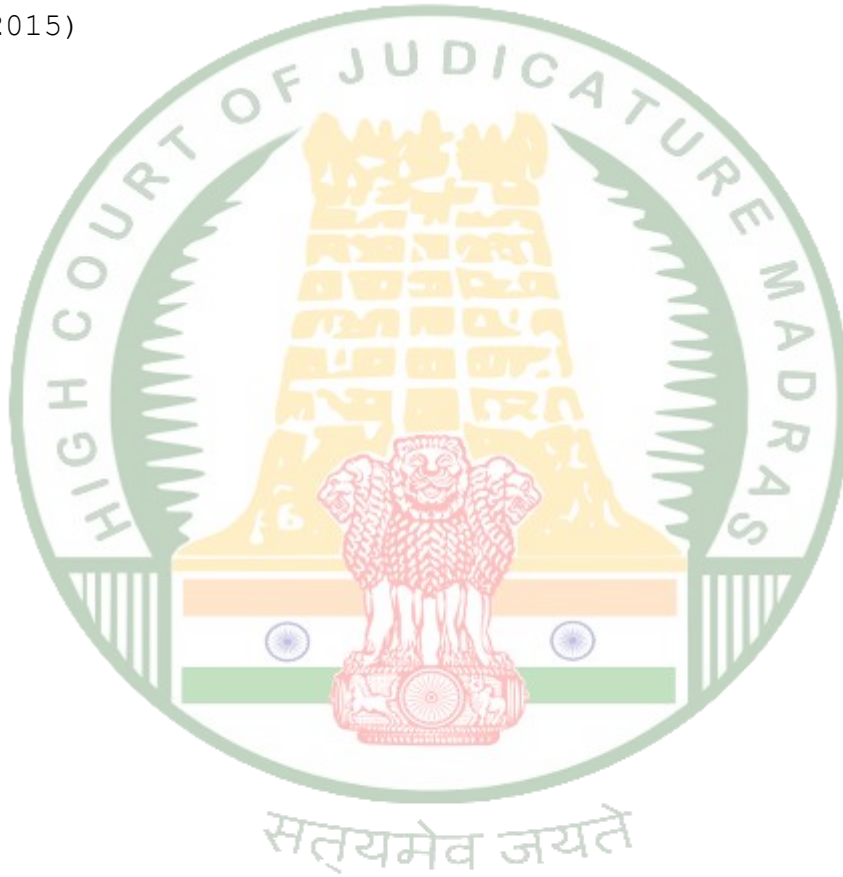
2.The Inspector of Police,
Cuddalore New Town Police Station,
Cuddalore.

3.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

+1cc to Mr.N.Suresh, Advocate, S.R.No.59802
+1cc to Mr.Chithirai Selvan, Advocate, S.R.No.59573

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PA(CO)
CA(24/11/2015)



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