



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2015

CORAM:

THE HONOURABLE MR. JUSTICE S.NAGAMUTHU

and

THE HONOURABLE MR. JUSTICE V.S.RAVI

H.C.P. (MD) No.1101 of 2015

P.Krishnakumar

... Petitioner

Vs.

1. The Superintendent of Police,
Nagercoil, Kanyakumari District.

2. The Inspector of Police,
Thiruvattar Police Station,
Kanyakumari District.

3. Saju

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the 1st and 2nd respondents to produce the body or person of the petitioner's daughter - Anju, aged 19 years before this Court and set her at liberty.

For Petitioner : Mr.F.Deepak

For Respondents : Mr.K.S.Duraipandian,
1 & 2 Addl. Public Prosecutor

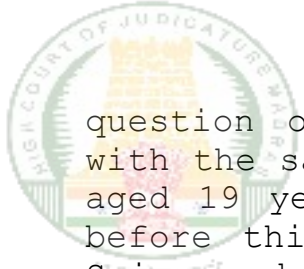
For 3rd respondent : Mr.S.Sivakumar

ORDER

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

The petitioner has come up with this petition alleging that his daughter by name Anju, aged about 19 years has been abducted by the third respondent.

2. Today, when the matter was taken up, the petitioner was present. The detainee - Anju was produced before this Court by the second respondent. On enquiries, Anju would say that she has already completed 19 years of age and on her own volition, out of love, she has married one Mr.Saju on 23.07.2015. In evidence of the said marriage, a bilateral agreement has been executed by Saju and Anju in the presence of one Advocate and Notary Public. It is stated by the detainee that she is the Hindu and Saju is the Christian. But, no marriage has been celebrated as per the Special Marriage Act. However, we do not want to go into



question of validity of the marriage, as we are concerned only with the safety of the detainee. Since she herself says that she is aged 19 years and on her own volition, she has married Saju and before this Court, she has declared that she wants to go with Saju, we have no option except to dismiss this petition.

3. In view of the above, this Habeas Corpus Petition is dismissed, leaving it open to Anju to move with anybody, according to her own volition.

Sd/-

Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Nagercoil, Kanyakumari District.
 2. The Inspector of Police,
Thiruvattar Police Station,
Kanyakumari District.
 3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- + 1 CC TO MR.S.SIVAKUMAR, ADVOCATE IN SR NO. 43255

GCG

TE/JGB-AAL/LIB 31/08/2015 2P/5C

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