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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.12.2015

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THE HONOURABLE MR. JUSTICE P.R.SHIVAKUMAR

and

THE HONOURABLE MR. JUSTICE V.S.RAVI

H.C.P. (MD) No.1573 of 2015

Manikandan

.. Petitioner

Vs.

1.The City Police Commissioner,
Madurai City, Madurai.

2.The Inspector of Police,
E-3, Anna Nagar Police Station,
K.K.Nagar,
Madurai - 625 020.

3.D.Prasanth

.. Respondents

Prayer : Petition under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus or any other appropriate Writ or direction in the nature of Habeas Corpus directing the 1st and 2nd respondents to produce the body of the Petitioner's daughter namely M.Murugeshwari D/o. Manikandan, aged about 18 years before this Court and set her at liberty.

For Petitioner : Mr.K.Guhan

For RR - 1 & 2 : Mr.R.Ramachandran
Additional Public Prosecutor.

For R - 3 : Mr.D.Balamurugapandi
O R D E R

(Order of the Court was made by P.R.SHIVAKUMAR, J.)

The alleged detenu Murugeshwari aged about 18 years has chosen to appear in person in this Court along with the third respondent. The petitioner is also present. The parents of the third respondent are also present. The third respondent is also represented by a counsel.

2.On being questioned, Murugeshwari submits that she is a major and she, on her own volition, went along with the third respondent and they got married and that the memorandum of declaration of marriage has also been registered. The certificate of registration of marriage under the Tamil Nadu Registration of Marriages Act, 2009 has also been produced along with a copy. From the Higher Secondary Examination Certificate, it is found that the date of birth of Murugeshwari is 22.03.1997. She is a
<https://hcservices.ecourts.gov.in/hcservices/> chosen her own way of life. She is very stubborn that she will go with the third respondent alone and she is not prepared to go with her father. Though the petitioner wanted to impress upon the Court



as well as his daughter that the third respondent is a rowdy element and Murugeshwari has been confined for about three months by the third respondent with the help of rowdy elements, the said submission is refuted by Murugeshwari by stating that she, on her own volition, went with the third respondent and married him.

WEB COPY 3. In view of such a stand taken by Murugeshwari, our job is cut short to recording the said submission and closing the Habeas Corpus Petition as there is no *prima facie* proof of any confinement, much less illegal confinement.

4. Accordingly, the Habeas Corpus Petition is closed and Murugeshwari is permitted to go anywhere as she likes.

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1. The City Police Commissioner,
Madurai City, Madurai.
2. The Inspector of Police,
E-3, Anna Nagar Police Station,
K.K. Nagar, Madurai - 625 020.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr. D. Balamuruga Pandi, Advocate, SR No. 75670

+1 CC to Mr. K. Guhan, Advocate, SR No. 75762

H.C.P (MD) No. 1573 of 2015
21.12.2015

mj
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