



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.11.2016**

CORAM:

THE HONOURABLE MR.JUSTICE **S.NAGAMUTHU**
AND
THE HONOURABLE MR.JUSTICE **M.V.MURALIDARAN**

H.C.P. [MD] .No.1579 of 2016

Sadhuragiri : Petitioner

Vs.

1.The State rep by
The Superintendent of Police,
Madurai, Madurai District.

2.The Inspector of Police,
Samayanallur Police Station,
Madurai District.

3.Palpandi

4.Chandran : Respondents

PRAYER: Habeas Corpus Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus directing the respondents 1 and 2 to produce the body or corpus of the petitioner's daughter, namely, Manimegalai D/o.Sadhuragiri, aged about 21 years, residing at Pillaiyar Kovil Street, Ambalathandi Village, Vadipatti Taluk, Madurai District before this Court by securing her from the third and fourth respondents and set her at liberty forthwith.

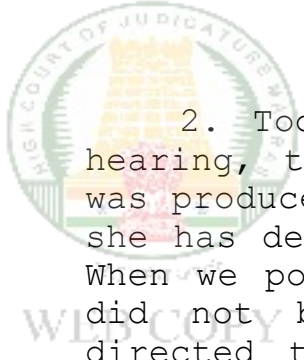
For Petitioner : Mr.B.Jeyakumar

For Respondent Nos.1&2 : Mr.A.Ramar
Additional Public Prosecutor

O R D E R

[Order of the Court was made by **M.V.MURALIDARAN, J.**]

The petitioner is the father of one Manimegalai, aged about 21 years, the detenu herein. The detenu was working in a private mill. She has been found missing from 11.11.2016. In this regard, a complaint was made and a case in Crime No.394 of 2016 was registered against the third respondent. The third respondent is already married, having two children and living with his wife.



2. Today, when the Habeas Corpus Petition was taken up for hearing, the petitioner appeared along with his wife. The detenu was produced by the second respondent police. The detenu told that she has decided to marry the third respondent as his second wife. When we pointed out that such marriage would be void in law, she did not bother about the same. Therefore, the parties were directed to go for mediation. The mediation could not succeed. When she appeared before this Court again, the detenu told that she wants to marry the third respondent, though it is true that he has got wife and two children.

3. Since the detenu is a major and as she has got her own independent decision, we are not able to compel the detenu to give up her idea of marrying the third respondent. We leave it open for the detenu to decided about the same. Hence, the Habeas Corpus Petition is dismissed.

Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

- 1.The Superintendent of Police,
Madurai, Madurai District.
- 2.The Inspector of Police,
Samayanallur Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

**ORDER MADE IN
H.C.P. [MD] .No.1579 of 2016
24.11.2016**

NB

SH/SS2:07.12.2016:2P/4C