

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE RAJIV SHAKDHER
and

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

H.C.P. No.2086 of 2017

S.Gnanaprakasam

... Petitioner

-vs-

1. State by Inspector of Police
Vaduvoor Police Station
Tiruvarur District

2. Vijayakumar

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents to produce the detenu, namely, Rasathi, Daughter of S.Gnanaprakasam, aged about 28 years bodily in person before this Court and set the detenu at liberty.

For Petitioner : Mr. S.Malar Mannan

For Respondents: Mr. V.M.R.Rajentren
Additional Public Prosecutor

O R D E R

(Order of the Court was made by RAJIV SHAKDHER,J.)

1. This is a petition in which direction is sought to secure the presence of Ms. Rasathi.

2. To be noted, Ms.Rasathi, i.e., the detenu is the daughter of the petitioner.

3. A perusal of the assertions made in the petition would show that even according to the petitioner, the detenu appears to have entered into a relationship with respondent No.2.

4. According to the petitioner, respondent No.2, has already married a person, by the name, Saranya and from that relationship, he has child.

5. Furthermore, it appears that the petitioner has lodged a complaint in that behalf with respondent No.1, which is registered as Crime No. 240 of 2017.

6. The averments made in the petition, clearly tend to point in the direction that the detinue, who is a person of mature age, (we are told she is aged 28 years) has decided to enter into a relationship with respondent No.2 out of her own volition and that respondent No.2 has not kept the detinue in illegal custody.

7. Accordingly, we are not inclined to entertain the petition.

8. The dismissal of this petition, however, will not prevent respondent No.1, from actioning the case registered as: crime No.240 of 2017.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

1. State by Inspector of Police
Vaduvoor Police Station
Tiruvarur District

2. The Public Prosecutor,
High court, madras.

+1cc to Mr.K.SUKUMARAN, Advocate, S.R.No. 79620

TR(06/12/2017)

HCP.No.2086 of 2017

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