

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2017

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN
and
THE HON'BLE MR.JUSTICE C.V.KARTHIKEYAN

H.C.P.No.1862 of 2016

S.Sivasamy

... Petitioner

Vs

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

2. The Inspector of Police,
Jeyankondam Police Station,
Ariyalur District.

3. Murugesan

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the respondents herein to produce the daughter of the petitioner, S,Maheswari, aged about 22 years, before this court and to set her at liberty, forthwith.

For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.V.M.R.Rajentren
Additional Public Prosecutor
for RR1 and 2

ORDER

[Order of the Court was made by C.V.KARTHIKEYAN, J.]

Heard the learned counsel appearing on behalf of the petitioner, as well as the learned Additional Public Prosecutor appearing on behalf of the respondents 1 and 2.

2. This Habeas Corpus Petition has been filed by the petitioner, seeking a direction to the respondents herein to produce the daughter of the petitioner, namely, S.Maheswari, aged 22 years, before this court and to set her at liberty.

3. Today, when the matter was taken up for hearing, the detinue, who is aged 22 years, had been produced before this

Court, by the second respondent police. On enquiry, the detenue had stated that she is studying B.Ed. Course and it appears, that she had also secured good marks. She wishes to continue her education. She is very categorical that she would like to go with her husband, Dhanasekaran. She had claimed that they had married, in Vallakottai temple, Singaperumal koil, Chengalpattu district. The said Dhanasekaran is also present before this Court and he was also examined. He had stated that he is a driver, at Mahindra city. He had assured that he would take care the detenue well and that he would help the detenu to continue her education. The detenue is also very clear in her stand that she would go along with her husband.

4. The learned Additional Public Prosecutor had also stated that the statement of the detenue had also been recorded before the jurisdictional Magistrate Court, confirming the above stand.

5. In view of the submissions made by the learned counsels appearing for the parties concerned and in view of the submissions made by the detenue, who has attained the age of majority, having expressed her desire to go along with her husband, namely, Dhanasekaran, the detenue is permitted to go along with her husband, Dhanasekaran, as per her wish. This Habeas corpus Petition stands closed, accordingly.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

vvk

To

1. The Superintendent of Police,
Ariyalur District, Ariyalur.
2. The Inspector of Police,
Jeyankondam Police Station,
Ariyalur District.
3. The Public Prosecutor,
High Court, Madras.

H.C.P.No.1862 of 2016

LRS (CO)
CA(10/02/2017)