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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:18.01.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBBIAH**

AND

THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

H.C.P.[MD].Nos.4 and 33 of 2017

Pancharaj : Petitioner in H.C.P.(MD).No.4 of 2017
M.Jeyakumar : Petitioner in H.C.P.(MD).No.33 of 2017

Vs.

1.The Superintendent of Police,
Dindigul District.

2.The Inspector of Police,
Viruveedu Police Station,
Dindigul District, Crime No.153 of 2016.

3.Pandi : Respondents in H.C.P.(MD).No.4 of 2017

1.The Superintendent of Police,
Dindigul District.

2.The Deputy Superintendent of Police,
Nilakottai, Taluk, Dindigul District.

3.The Inspector of Police,
Viruvidu Police Station,
Nilakottai Taluk, Dindigul District.

4.C.Pancharaj : Respondents in H.C.P.(MD).No.33 of 2017

PRAYER in H.C.P.(MD).No.4 of 2017: 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 person of the detenu, namely, Rathika, aged about 23 years, D/o.Pancharaj, before this Court and set her at liberty.

PRAYER in H.C.P.(MD).No.33 of 2017: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents 1 to 3 to produce the body or person of the detenu, namely, M.Pandi, S/o.Manthaiyan, aged about 24 years, illegally detained by the fourth respondent and set him at liberty.

H.C.P.(MD).No.4 of 2017

For Petitioner

: Mr.J.Senthil Kumaraiah

For Respondents1&2

: Mr.K.S.Duraipandian

<https://hcservices.ecourts.gov.in/hcservices/>

Additional Public Prosecutor

H.C.P.(MD).No.33 of 2017



For Petitioner

: Mr.C.Senthil Murugan

For Respondents 1to3

: Mr.K.S.Duraipandian

Additional Public Prosecutor

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COMMON ORDER

[Order of the Court was made by R.SUBBIAH, J.]

Since the issue involved in both the Habeas Corpus Petition is interlinked, they were heard together and the Habeas Corpus Petitions are disposed of by means of this Common Order.

2. H.C.P.(MD).No.4 of 2017 has been filed by the father of the detenu, seeking a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the body or person of the detenu, namely, Rathika, aged about 23 years, D/o.Pancharaj, before this Court and set her at liberty.

3. H.C.P.(MD).No.33 of 2017 has been filed by the brother of the detenu seeking to issue a Writ of Habeas Corpus, directing the respondents 1 to 3 to produce the body or person of the detenu, namely, M.Pandi, S/o.Manthaiyan, aged about 24 years, illegally detained by the fourth respondent and set him at liberty.

4. Today, when the Habeas Corpus Petitions were taken up for consideration, the respondents police produced the detenus. On enquiry, the detenu in H.C.P.(MD).No.4 of 2017 has stated that she fell in love with one M.Pandi, S/o.Manthaiyan, aged about 24 years, the detenu in H.C.P.(MD).No.33 of 2017. She has further stated that she went along with the detenu in H.C.P.(MD).No.33 of 2017 and married him. She has also stated that she is not willing to go along with her father.

5. In view of the above, since the detenus are not in illegal custody, nothing survives for adjudication in the Habeas Corpus Petitions. Hence, the Habeas Corpus Petitions are closed. The detenu - Rathika has requested that police protection may be given to her and M.Pandi, the detenu in H.C.P.(MD).No.33 of 2017, till they reach their home. In view of the above request, the respondents police are directed to give police protection to the detenus, till they reach their home.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar



To

1. The Superintendent of Police,
Dindigul District.

2. The Deputy Superintendent of Police,
Nilakottai, Taluk, Dindigul District.

3. The Inspector of Police,
Virusidu Police Station,
Nilakottai Taluk, Dindigul District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 cc to Mr. C.SENTHIL MURUGAN, Advocate, Sr.No:3041

NB

MAS/PM-JN:30.01.2017:3P/6C

ORDER MADE IN
H.C.P. [MD] .Nos.4 and 33 of 2017
18.01.2017