



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

H.C.P (MD) No.863 of 2017

Devaraj

: Petitioner

Vs.

1. The Superintendent of Police,
Nagercoil,
Kanyakumari District.

2. The Inspector of Police,
Arumanai Police Station,
Kanyakumari District.

3.P.George

4.Rosemery

5.G.Jerome

6.Aneesh

7.Thamson

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus petition, directing the respondents to produce the body or person of the detenu namely Mr.Sujith, S/o.Devaraj, aged about 20 years before this Hon'ble Court and set him at liberty.

For Petitioner

: Mr.S.J.Chakkaravarthy

For Respondents 1 & 2

: Mr.T.Mohan

Additional Public Prosecutor

O R D E R

[Order of the Court was made by T.S.SIVAGNANAM, J.]

The petitioner has filed this petition to produce his son Sujith aged about 20 years. His case is that his son has been kidnapped by the private respondents 3 to 7 for compelling him to get married with one Anusha.

2.The learned Additional Public Prosecutor appearing for the respondents 1 and 2 on instructions from the respondent police submitted that Aneesh, the brother of Anusha has given a complaint against the detenu stating that he has kidnapped his sister.



3. Thus, We find it is not a case of illegal detention, but a case of elopement. In any event, since complaints have been received by the second respondent police, the second respondent is directed to investigate the complaints i.e., both the case and counter case and produce the parties before the Judicial Magistrate having jurisdiction over the matter.

4. With the above direction, this Habeas Corpus Petition is disposed of.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

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

+1cc to Mr.S.J.Chakkaravarthy, Advocate Sr.No.60342

LS

VB/MR/SAR3/27.06.2017/2P/5C

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