

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 19.06.2018

CORAM

THE HONOURABLE DR. JUSTICE S.VIMALA
AND
THE HONOURABLE MRS. JUSTICE S.RAMATHILAGAM

H.C.P. NO. 1152 OF 2018

E.Kamalanathan

.. Petitioner

- Vs -

1. The Superintendent of Police
Office of the Superintendent of Police
Kancheepuram District.
2. The Inspector of Police
E-9, Thalambur Police Station
Kancheepuram District.
3. Kannan

... Respondents

Petition filed for the issuance of a writ of habeas corpus directing the 1st and 2nd respondents to secure the petitioner's daughter, viz., Jayanthi, aged about 26 years and produce her before this Hon'ble Court and set her at liberty.

For Petitioner : Mr. D.Veerasekaran

For Respondents: Mr. R.Prathap Kumar, APP for RR-1 & 2

ORDER

(DELIVERED BY DR. S.VIMALA, J.)

The petitioner has filed the present petition seeking direction on the respondents to secure his daughter and produce her before this Court.

2. It is seen from the affidavit filed in support of the petition that the petitioner had lodged an oral complaint with the respondent police on 11.6.2018 stating that the 3rd respondent has kidnapped his daughter and that she is being kept under illegal detention. Since no steps have been taken by the respondents to secure his daughter, the present petition has been filed.

3. When the matter is taken up, there is no representation on behalf of the petitioner. Learned Addl.

Public Prosecutor produced the records which discloses that the detenu has married the 3rd respondent and in support thereof, copy of the marriage certificate is produced. The copy of the marriage certificate reveals that the 3rd respondent has married the detenu on 14.2.2018.

4. The records further disclose that the detenu has also preferred a petition before the Superintendent of Police, Kancheepuram alleging that she has already married the 3rd respondent and that she is being threatened by her parents and, therefore, she has sought for protection. The record further discloses that at a later point of time, the detenu has submitted that apprehending danger, she has shifted her residence along with her husband to Tirunelveli District and, therefore, the Superintendent of Police, Kancheepuram, need not take any further action on her complaint. The copy of the said letter dated 17.5.17 has also been produced.

5. From the above, it is abundantly clear that the facts as narrated in the affidavit is against the facts of this case. It is further evident that the detenu is not under illegal detention. Therefore, nothing survives for adjudication in this petition and, accordingly, this petition is closed.

-s/d-

Assistant Registrar (CS-IX)

True Copy

Sub-Assistant Registrar

GLN

To

1. The Superintendent of Police
Office of the Superintendent of Police
Kancheepuram District.
2. The Inspector of Police
E-9, Thalambur Police Station
Kancheepuram District.

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SP(03/07/2018)