

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 11.06.2018

Coram

THE HON'BLE MR.JUSTICE M.VENUGOPAL  
&  
THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

H.C.P.No.494 of 2018

Mr.E.Selvapandian

... Petitioner

Vs.

1.The Inspector of Police (L & O)  
T-12, Ponnammalle Police Station  
Ponnammalle  
Chennai - 600 056.

2.The Superintendent of Police  
Thiruvallur District.

3.Mr.Govindarajan

... 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 person and body of petitioner daughter namely Keerthana Devi aged 25 years, who is in the illegal custody of the 3<sup>rd</sup> respondent herein, before this Court and set her at liberty.

For Petitioner : Mr.P.Manikannan

For Respondents : Mr.R.Prathap Kumar  
Addl. Public Prosecutor [R1 & R2]  
Mr.C.Mohan Raj [R3].

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O R D E R  
(Order of the Court was made by M.VENUGOPAL, J.)

Heard the Learned Counsel for the Petitioner, Learned Additional Public Prosecutor for respondents 1 and 2 and the Learned Counsel for the Third Respondent.

2. The Petitioner/father has filed the present Habeas Corpus Petition praying for passing of an order by this Court in

directing the Respondents to produce the person and body of his daughter viz., Keerthana Devi, aged 25 years, who is in illegal custody of the Third Respondent.

3. Today, the Petitioner's daughter, Keerthana Devi, aged 25 years, has appeared before this Court and informed this Court that ever since 02.02.2018, when she left her father's house from Chennai, she is now staying and residing with his grandfather Mr.Thangarajan, at Plot No.18, Sree Balan Nagar, (North) Olaiyur, K.Sathanoor Post, Trichy - 620 021. Further, she has stated that her mother expired in the year 2010 and only because of the harassment of her father viz., the petitioner, she has gone to her grandfather's house, as the afore stated Trichy address and presently staying there. She has also informed this Court that the Third Respondent is the son of her grandfather Thangarajan and that he is working in Malaysia. She has also stated that the Third Respondent viz., son of her grandfather is not staying at Trichy address, where she is staying.

4. Before this Court, the Third Respondent has filed a sworn affidavit dated 05.04.2018, whereby and whereunder at paragraph 3, he had among other things stated that he had already married and the same is in force and therefore, he cannot marry the petitioner's daughter-Keerthana Devi. Further at paragraph 5 of the affidavit, he had stated that till date, he is not having any physical relationship or illegal affair with the petitioner's daughter Keerthana Devi and also assured that he will not any illegal relationship in the future also.

5. The petitioner's daughter Keerthana Devi has sworn to an affidavit dated 05.04.2018, whereby and whereunder, she has stated that the Third Respondent already got married and the same is in force. Further she has made a categorical averment at paragraph 3 of her affidavit dated 05.04.2018 to the effect that he has no intention to marry Mr.Govindarajan (Third Respondent-her grandfather's son). She has also proceeded to state in paragraph 4 of her affidavit that both her grandfather Thangarajan and his son viz., the Third Respondent are her mother's relatives and from her childhood itself, she used to go to their home in holidays and that the petitioner viz., her father now conveniently says that they are not relatives.

6. This Court on an interaction with the said Keerthana Devi (Petitioner's daughter), she has stated that she will go for employment at J.J. Hospital, K.K.Nagar, Trichy very shortly as Dentist on a monthly salary of Rs.20,000/- (Rupees Twenty Thousand only) from July 2018.

7. Considering the fact that the Petitioner's daughter

Keerthana Devi (aged 25 years) being a major/adult is entitled to take her own further course of action and accordingly, this Court closes the present Habeas Corpus Petition permitting her to pursue her own course of life, as she deems fit and proper.

Sd/-  
Assistant Registrar(CS II)

//True copy//

Sub Assistant Registrar

vsm

To

1.The Inspector of Police (L & O)  
T-12, Ponnammalle Police Station  
Ponnammalle  
Chennai - 600 056.

2.The Superintendent of Police  
Thiruvallur District.

3.The Public Prosecutor,  
Madras High Court,  
Chennai.

+1cc to Mr.P.Manikannan, Advocate SR.No.36914

H.C.P.No.494 of 2018

JP(CO)  
GN(19/06/2018)

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