

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.04.2018

Coram

THE HON'BLE MR.JUSTICE M.VENUGOPAL  
&  
THE HON'BLE MRS.JUSTICE R.HEMALATHA

H.C.P.No.560 of 2018

G.Mohan

... Petitioner

v.  
1.The Inspector of Police  
J4 Kotturpuram Police Station  
Chennai

2.Madan Raj

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the 1st Respondent to produce the body of the petitioner Ramya, aged about 19 years, the detinue from the illegal custody of the 2nd respondent before this Court and set her liberty at once.

For Petitioner : Mr.S.Marshall  
For Respondents : Ms.T.P.Savitha  
Govt. Advocate (Cri. Side)  
for R1

O R D E R

(Order of the Court was made by R.HEMALATHA, J.)

Heard Mr.S.Marshall, Learned Counsel for the Petitioner and Ms.T.P.Savitha, Learned Additional Public Prosecutor appearing for the 1st Respondent.

2. The Petitioner, G.Mohan, has filed the present Writ of Habeas Corpus, directing the 1st Respondent to produce the body of his daughter Ramya, aged about 19 years, from the custody of the 2nd respondent herein.

3. In the affidavit filed along with the petition, the petitioner had contended that his daughter Ramya, aged about 19 years, was studying 1st year B.C.A. at Dr.M.G.R. Janaki College of Arts and Science for Women and that on 19.03.2017, he dropped his daughter at the College. His further contention is that his daughter did not come back home and he lodged a complaint with the Inspector of Police, J4 Kotturpuram Police Station, Chennai.

4. Today, the detenue Ramya was brought before this Court and we interacted with her. She contended that she got married to one Madhan Raj on 19.03.2018 and that her marriage was solemnized at Annamalayar Mandapam, Mount Road, by her in-laws. She further contended that she fell in love with Madhan Raj and since he belongs to Scheduled Caste Community, her father did not give consent for their marriage. She further averred that she is now residing with her husband at No.191, C Block, West Canal Bunk Road, Kottur, Chennai - 600 085 and her husband is taking care of her properly.

5. It is pertinent to point out that the Petitioner is a major and this Court is also convinced that she would be in a position to take an independent decision on her own and does not require any guidance or instructions.

6. In view of the above, the detenue, Ramya is set at liberty and the Writ of Habeas Corpus Petition is disposed of accordingly.

Sd/-

Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

Rj  
To

1. The Inspector of Police  
J4 Kotturpuram Police Station Chennai.
2. The Public Prosecutor, High Court, Madras.

H.C.P.No.560 of 2018

NMI (CO)  
EU(24/04/2018)

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