

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE C.T.SELVAM
and
THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

HCP. No.2243 of 2018

M.Mallika

... Petitioner

-Vs-

1.The Superintendent of Police,
Marapalayam, Erode.

2.The Inspector of Police,
Kavindapadi Police Station,
Kavindapadi, Erode.

3.G.Nithyananthan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents herein to secure the body of the detinue by name Kiruthika, aged 18 years, D/o.M.Mallika from the illegal custody of the third respondent and produce her before this Court for set at her liberty.

For Petitioner : Ms.Esairani Narasimman S.

For Respondents: Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

[Order of the Court by C.T.SELVAM, J.]

Petitioner, who is the mother of the detinue viz., Kiruthika, aged 18 years sought production of her daughter.

2. Heard learned counsel for petitioner as also learned Additional Public Prosecutor for respondents 1 and 2.

3. The detinue has been produced by the second respondent from the custody of the parents of third respondent. Third

respondent and the detinue informed of being in love and intending to enter upon marriage after the third respondent attaining marriageable age with the knowledge of their parents. The detinue further informs that her father and mother are living separately and she enjoys cordial relationship of her father, who is not opposed to her wish. On the other hand, her mother/the petitioner wishes her to have a marriage to an elderly uncle, which had forced the detinue to leave petitioner's custody. Both detinue and third respondent inform the intent to continue to reside with the parents of third respondent.

4. Recording the above position, this Habeas Corpus Petition shall stand closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

kmi

To:

1. The Superintendent of Police,
Marapalayam, Erode.

2.The Inspector of Police,
Kavindapadi Police Station,
Kavindapadi, Erode.

3.The Public Prosecutor,
High Court, Madras.

+1cc to M/S.P.Arulmozhi, Advocate Sr.73093

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srg 16/11/2018