

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2018

CORAM:

THE HONOURABLE Mr.JUSTICE C.T.SELVAM
and
THE HONOURABLE Mrs.JUSTICE S.RAMATHILAGAM

H.C.P.No.2743 of 2018

V.Muthukumaran
S/o.D.Venkatachalam

...

Petitioner

-Vs-

1. The Superintendent of Police (West),
Puducherry.

2. The Sub-Inspector of Police,
Thirubuvanai Police Station,
Puducherry.

3. Tamilarasan

...

Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the first and 2nd respondent to produce the body of the detainee/namely Sakthi Priya, aged 21 years, daughter of Muthukumaran from the illegal custody of the 3rd respondent and set her at liberty.

For Petitioner : Mr.M.R.Thangavel

For Respondents: Mr.Bharathachakravarthi
Public Prosecutor (Puducherry)
for R1 & R2
Mr.S.Kumaradevan for R3.

ORDER

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

Petitioner, who is the father of the detainee viz., M.Sakthi Priya, aged 21 years, sought production of his daughter.

2. We have heard learned counsel for petitioner, Mr.Bharathachakravarthi, learned Public Prosecutor (Pondicherry) for respondents 1 and 2 as also perused learned counsel for third respondent.

3. The detainee viz., M.Sakthi Priya, is present on her own volition. Third respondent is also present before this Court. The detainee informs that having been unable to persuade her parents, she has stepped out of the parental home and entered upon marriage with third respondent. She intends to continue her education and that the third respondent is supporting her studies. Though learned counsel for petitioner informs that the petitioner is on the way and would word with his daughter, the detainee insists that she might enter upon a relationship with the petitioner as also her mother on a later date. She is presently not willing to such exercise. She expresses fear for the well being of third respondent and herself.

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

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1. The Superintendent of Police (West),
Puducherry.
2. The Sub-Inspector of Police,
Thirubuvanai Police Station,
Puducherry.
3. The Public Prosecutor (Puducherry),
High Court, Madras.

+1cc to Mr.S.Kumara Devan, Advocate, S.R.No.82096

+1cc to Mr.C.Anbu, Advocate, S.R.No.82119

+1cc to The Public Prosecutor, S.R.No.83246

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SPD(CO)

GSP(19/12/2018)