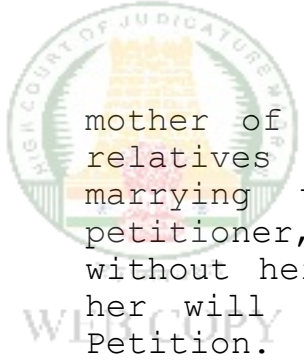




mother of the third respondent came to his house along with his relatives and forcibly taken her daughter for the purpose of marrying to her son/3rd respondent without her consent. The petitioner, apprehending that his daughter/detinue is held by them without her consent and marriage is also going to perform without her will and consent, came forward to file this Habeas Corpus Petition.

2.The learned counsel appearing for the petitioner has drawn the attention of this Court to the materials placed before this Court and would submit that though the detinue is a major, she cannot be compelled to marry somebody against her wish and will and the respondents 3 and 4 with the connivance of police officials are compelling her daughter to marry the third respondent and being the father of the detinue, it is his bounden duty to protect her interest and welfare. Hence, prays for appropriate orders.

3.Per contra, Mr.C.Ramesh, learned Additional Public Prosecutor appearing for the respondents 1 and 2 would submit that the detinue has submitted a petition, which was taken on file in C.S.R. No.48 of 2018 by the second respondent, wherein, she has stated that after completing M.E., she is with her parents and about six years prior, while she was doing post graduation she developed love affair and it was informed to her parents and she was warned and castigated and despite the fact that the mother of the third respondent came there and requested the parents to give her in marriage to the third respondent, it was refused and also seeking other alliances and therefore, prayed for action.

4.He further submitted that the detinue as well as respondents 3 and 4 and others were summoned and having found that the detinue is a major and voluntarily gone with her lover, namely, the third respondent, no action has been taken. He also produced the marriage invitation card as to the solemnization of marriage between the third respondent and the detinue to be held on 25.12.2018.

5.This Court has considered the rival submissions and perused the materials placed on record.

6.Admittedly, the detinue is a major and the materials produced before this Court prima facie would indicate that on her own volition she went with the third respondent and it is also brought to the notice of this Court that the detinue respondent is going to marry the third respondent on 25.02.2018. The detinue being a major, she is entitled to take her own decision as to the marriage and therefore, this Court is not in a position to interfere with the same.



7. In the result, this Habeas Corpus Petition is dismissed.

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/True Copy/

Sd/-
Assistant Registrar (Crl. Side)

Sub-Assistant Registrar

To

1. The Superintendent of Police,
Virudhunagar District.
2. The Inspector of Police,
All Women Police Station,
Sivakasi,
Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Sj

RL/4C/3P/KK/SAR4/8/3/2018

H.C.P (MD) No. 233 of 2018

23.02.2018