



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.02.2018

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MRS. JUSTICE R.THARANI

H.C.P(MD)No.240 of 2018

Ashok Kumar : Petitioner

Vs.

1.The Commissioner of Police,
Tirunelveli City,
Tirunelveli District.

2.The Inspector of Police,
Thatchanallur Police Station,
Thatchanallur,
Tirunelveli District.

3.Rufina Fathima : Respondents

This Habeas Corpus Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Habeas Corpus, to direct the respondents 1 and 2 to produce the person or body of detenu by name Suriya Ganesh aged about 20 years, S/o.Ashok Kumar before this Court and set him at liberty.

For Petitioner : Mr.T.Indrachithu

For Respondents : Mr.Mayilvahana Rajendran, APP
for RR1 and 2

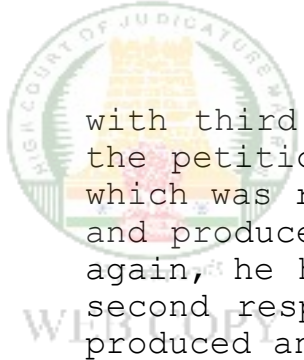
ORDER

(Order of the Court was made by T.S.SIVAGNANAM)

Heard Mr.T.Indrachithu, the learned counsel for the petitioner and Mr.Mayilvahana Rajendran, APP appearing for the respondents 1 and 2.

2.The petitioner is the father of the detenu, who is aged about 20 years and stated to have eloped with third respondent, who is a married lady with two children and aged about 30 years.

3.The learned Additional Public Prosecutor on instructions submitted that this is a third occasion, where the detenu has eloped



with third respondent. On the first occasion, when he had eloped, the petitioner lodged a complaint before the Pettai Police Station, which was registered crime No.698 of 2016 and the detenu was secured and produced and handed over to the petitioner. Subsequently, once again, he had eloped. The petitioner lodged a complaint before the second respondent police which was investigated and the detenu was produced and handed over to the petitioner. This is third occasion, where the petitioner has eloped with the very same third respondent. Thus, it appears that the detenu is not in a mood to heed to the advice of the petitioner/ father.

4.In any event, since a complaint has been registered by the second respondent, we direct the same to be investigated and secure the detenu and call the petitioner to the police station to enable him to meet the detenu and the petitioner shall attempt to convince his son to come back with him. The above direction to be complied with, within a period of three weeks from the date of receipt of a copy of this order.

5.With the above direction, this habeas corpus petition is disposed of.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

- 1.The Commissioner of Police,
Tirunelveli City,
Tirunelveli District.
- 2.The Inspector of Police,
Thatchanallur Police Station,
Thatchanallur,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.T.Indrachithu, Advocate, SR.No. 51103

H.C.P (MD) No.240 OF 2018
26.02.2018

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