



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 26.03.2018

CORAM:

THE HONOURABLE DR. JUSTICE S.VIMALA
AND
THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

H.C.P(MD) No.321 of 2018

R.Arumugam

... Petitioner

-vs-

1.The Superintendent of Police,
Pudukottai District.

2.The Inspector of Police,
K.Pudhupatti Police Station,
Pudukottai District.

3.J.Lakshmanan

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, directing the respondents to produce the body of the petitioner's daughter A.Priyanka, S/o.Arumugam, aged 18 years, before the Honourable Court and hand over the custody of her to the petitioner.

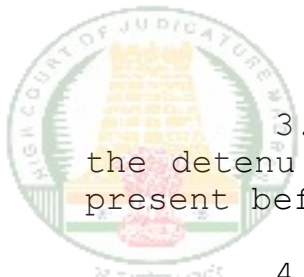
For Petitioner	: Mr.N.Karthik Kanna
For R1 & R2	: Mr.K.Dinesh Babu
	Addl. Public Prosecutor
For R3	: Mr.R.Pandi Maharaja

O R D E R

[Order of the Court was made by S.VIMALA,J,]

This petition has been filed by father, seeking direction to the respondents to produce his daughter / detenu, namely, A.Priyanka, S/o.Arumugam, aged about 18 years, before this Court and hand over her custody to the petitioner.

2. According to the petitioner, he is a Daily Wage Coolie and his younger daughter / detenu has been undergoing her studies in M/s.Sastha Teacher Training Institute at Kilanilaikottai, Thirumayam Taluk, Pudukkottai District as hosteller. It is alleged that she was found missing from 02.03.2018 onwards from the hostel and on enquiry, the petitioner came to know that the third respondent had abducted her for forcible marriage. Therefore, he gave a complaint before the 2nd respondent police for tracing out her whereabouts and since his complaint did not evoke any response, the petitioner is before this Court.



3. The learned Additional Public Prosecutor has produced the detenu through the respondent police and the petitioner is also present before this Court.

4. On enquiry with the detenu, she has stated that she had not been kidnapped or abducted by anyone and she decided to leave her parents on her own accord. It is further stated that even though her parents agreed to perform her marriage with the third respondent, they did not keep up their words as promised and therefore, she left her parental home and married the third respondent in Vandiyur Theppakulam Mariamman Kovil at Madurai. She has produced photographs to substantiate her marriage and she has expressed that she wants to continue her studies in the very same Sastha Teacher Training Institute at Kilanilaikottai, Thirumayam Taluk, Pudukkottai District and she may be permitted to continue her status.

5. Recording the submission made by the detenu that she already married the third respondent and is inclined to go with him and also considering the fact that she is major, this Habeas Corpus Petition is closed and the detenu is set at liberty.

Sd/-

Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To:

1. The Superintendent of Police,
Pudukkottai District.
2. The Inspector of Police,
K. Pudukkottai Police Station,
Pudukkottai District.
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

H.C.P (MD) No.321 of 2018
26.03.2018

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JM/RSK/SAR 4/27.04.2018/2P/4C