



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.06.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY
and
THE HONOURABLE DR.JUSTICE ANITA SUMANTH

H.C.P.(MD)No.786 of 2018

Tamilselvi

... Petitioner

Vs.

1. The Commissioner of Police,
Office of the Commissioner of Police,
Madurai City, Madurai.

2. The Inspector of Police,
D2-Thallakulam Police Station,
Madurai.

3.Vijay

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus directing the first and second respondents to produce the body of the petitioner's daughter, Ms.Priyadharshini, D/o Murugan, aged about 20 years and to set her at liberty.

For Petitioner : Mr.V.B.Sundhareshwar

For Respondents : Mr.R.Anandharaj
Additional Public Prosecutor
for R.1 and R.2

ORDER

(Order of the Court was delivered by **M.DURAI SWAMY, J.**)

The detenu's mother has filed the above Habeas Corpus Petition seeking a direction to the respondents 1 and 2 to produce the detenu viz., Priyadharshini, aged about 20 years and set her at liberty.

2. The petitioner has stated that the detenu is studying B.A., History in Meenakshi Women's College, Madurai and on 12.05.2018 at about 09.30 a.m., she went to the College and on that day evening, she did not return to home. Therefore, the



petitioner made a complaint before the second respondent police on the same day, however, there is no response from the second respondent. Further the petitioner submitted that the detenu had eloped with the third respondent and she is in the illegal custody of the third respondent.

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3. The learned Additional Public Prosecutor made a mention before this Bench stating that the respondent police is producing the detenu and therefore, the Habeas Corpus Petition may be taken up for hearing.

4. Accordingly, the Habeas Corpus Petition was taken up for hearing today and the respondent police also produced the detenu before this Court. When she was enquired by this Bench, she has stated that she married the third respondent on 12.05.2018 at Murugan temple, Thuvarankuruchi and is living with the third respondent since there. She has also stated that she is aged more than 20 years and further submitted that she wants to live with the third respondent.

5. The parents of the detenu were present and they were also enquired by us and they have stated that since the girl is a major, aged more than 20 years and she had married the third respondent who is none other than the nephew of the father of the detenu, she may be allowed to stay with the third respondent.

6. The third respondent was also present in the Court and he has also reiterated the statement made by the detenu stating that he and the detenu got married on 12.05.2018.

7. Since the detenu is a major and also that she had married the third respondent, we do not find any reason to order the Habeas Corpus Petition. Accordingly, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
Office of the Commissioner of Police,
Madurai City, Madurai.

2. The Inspector of Police,
Police Station,
Madurai.



3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Ssl

AE/SKN RSK/SAR1/04.07.2018/3P/4C

H.C.P. (MD) No.786 of 2018
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