



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

H.C.P. (MD) No.1384 of 2018

Ayyappan Ganesan

... Petitioner

-vs-

- 1.The Superintendent of Police,
Kanyakumari District.
- 2.The Inspector of Police,
Eraniyal Police Station,
Kanyakumari District.
- 3.Mathan Babu

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, to direct the Respondents to produce the detenu or her corpus namely Aarthi, D/o. Ayyappan, aged about 19 years, before this Hon'ble High Court and set her at liberty forthwith.

For Petitioner : Mr.S.Krishnan

For Respondents 1 & 2 : Mr.K.Dinesh Babu
Additional Public Prosecutor

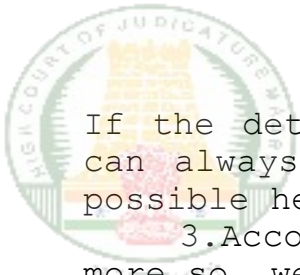
For 3rd Respondent : Mr.A.D.Ganeshamoorthy

O R D E R

[Order of the Court was made by M.M.SUNDRESH, J.]

The petitioner has filed this petition seeking production of his daughter and to set her at liberty, alleging that she is in the illegal custody of respondent No.3.

2.We have heard the petitioner and his wife on the one hand and the respondent No.3 and the detenu on the other hand. The respondent No.3 has married the detenu, who is a major. The detenu does not want to join the petitioner as of now. After a long discussion among themselves, it is agreed that the detenu may live with the respondent No.3 in his residence at Kanyakumari District. Thereafter, he would go back to his work in the gulf country and the petitioner and his wife would extend all cooperation to the detenu for completing her studies. The detenu is at liberty to live in the residential home of the respondent No.3. The petitioner and his wife assured us that they would not indulge in harassment of the detenu.



If the detainee or the respondent No.3 have any apprehension, they can always approach the official respondents who shall extend all possible help, is so required.

3. Accordingly, this Habeas Corpus Petition stands disposed of, more so, we do not find any illegal detention.

Sd/

Assistant Registrar (Protocol)

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/True copy/

Sub Assistant Registrar (CS-IV)

To

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

+1cc to Mr.A.D.Ganeshamoorthi, Advocate, SR.No.89637

H.C.P. (MD) No.1384 of 2018
09.10.2018

sj

KK/SV/SAR-4/31.10.2018/2P-5C