

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 30.04.2019

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

HCP.No.605 of 2019

T.Selvarasu

.. Petitioner

Versus

1.The Director General of Police,
Office of the Director General of Police,
Chennai.

2.The Superintendent of Police,
Office of the Superintendent of Police,
Cuddalore District,
Cuddalore.

3.The Inspector of Police,
Ramanatham Police Station,
Ramanatham,
Cuddalore District

4.M.Muthu .. Respondents

Prayer:- Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Habeas Corpus, directing the respondent 1 to 3 herein to produce the body of the detainee by name Krishnaveni aged 19 years before this Court and set her at liberty by entrusting her custody to the petitioner who is her father.

For Petitioner :Mr.D.Muthuselvam

For Respondents :Mr.C.Iyyappa Raj

Additional Public Prosecutor for R1 to R3

ORDER

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

The petitioner is the father of the detainee, namely Krishnaveni, aged about 19 years and alleging illegal custody / detention at the hands of the 4th respondent, came forward to file this Habeas Corpus Petition.

2. The Habeas Corpus Petition was entertained on 21.03.2019 and when the matter was listed on 03.04.2019, the detainee was produced before this Court and she made a statement on that day that since her parents made attempts to arrange marriage for her, she on her own volition left her home and employed in Tirupur Banian Company and in the light of the facts and circumstances, her custody was entrusted to Madras Christian Council of Social Services, Perumbur for some time and was directed to be produced before this Court on 25.04.2019.

3. The matter is listed today at the instance of learned Additional Public Prosecutor for the State and the detainee was produced before this Court and on the other day, she did not tell the true facts and now, she would state that actually she is in love with the 4th respondent, who is also 19 years of age and he promised to marry her and during her stay in

the said home, parents of the detenu also met her and expressed their willingness to arrange marriage with the 4th respondent provided, after attaining the age of marriage and she is also interested in pursuing her academic career.

4. The parents of the detenu are also present before this Court and they would state that after the 4th respondent attain marriageable age, she would be given marriage to him and if the detenu is interested in pursuing her academic career, they will take endeavor to fulfill her wishes.

5. This Court heard the submission of the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State, who would submit that based on the complaint given as to the missing of the detenu, a CSR has been registered and enquiry would be conducted and further proceeding would take place in accordance with law.

6. In the light of the fact that the detenu is willing to go with her parents, she is at liberty to do so and her custody was handed over to the parents who are present before this Court.

M.SATHYANARAYANAN, J.,

AND

M.NIRMAL KUMAR, J.,

sk

7. The Habeas Corpus Petition is disposed of accordingly.

[M.S.N., J] [M.N.K., J]

30.04.2019

Internet : Yes/No
Index : Yes/No
sk

To

1. The Director General of Police,
Office of the Director General of Police,
Chennai.

2. The Superintendent of Police,
Office of the Superintendent of Police,
Cuddalore District,
Cuddalore.

3. The Inspector of Police,
Ramanatham Police Station,
Ramanatham,
Cuddalore District

WEB COPY

HCP.No.605 of 2019