

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.10.2019

CORAM:

The Honourable Mr. Justice M.M.SUNDRESH
and
The Honourable Mr. Justice RMT.TEEKAA RAMAN

Habeas Corpus Petition No.1987 of 2019

S.Murugesan ... Petitioner

vs.

1. The Superintendent of Police,
Salem.
2. The Inspector of Police,
Thammampatti Police Station,
Salem District.
3. The Sub-Inspector of Police,
Thammampatti Police Station,
Salem District.
4. Rubash Kumar ... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the 2nd Respondent herein to produce the Petitioner's minor daughter M.Narmatha, aged 17 years, D/o.S.Murugesan, before this Court from the illegal custody of the 4th Respondent and handover the custody to the Petitioner.

For Petitioner : Mr.A.Rajakumar
For Respondent 1 to 3 : Mr.R.Prathap Kumar,
Additional Public
Prosecutor

O R D E R

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

The Petitioner, who is the father of the detinue, alleging that the detinue is in the illegal custody of the 4th Respondent herein, has come up with this Habeas Corpus Petition, seeking production of the detinue.

2. Today, the detinue and all the interested parties are present before this Court.

3. The detinue clearly informed that she intends to go only with the 4th Respondent herein. In fact, the detinue is married to the 4th Respondent. Though the question with regard to her majority has been raised, on a perusal of the School Certificate and Aadhar Card of the detinue, it appears that the detinue is a major as on date. Even the detinue has admitted that, she has attained majority.

4. In such view of the matter, we set the detinue at liberty and she can continue to live with the 4th Respondent herein. However, we make it clear that this order will not stand in the way of the ultimate conclusion to be arrived at by Respondents 1 and 2, after investigation.

5. The Habeas Corpus Petition is closed with the above observation.

Sd/-
Assistant Registrar

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

(aeb)

To:

1. The Superintendent of Police,
Salem.
2. The Inspector of Police,
Thammampatti Police Station,
Salem District.

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3. The Sub-Inspector of Police,
Thammampatti Police Station,
Salem District.

4. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.W.Camyles Gandhi, Advocate Sr.85579

H.C.P.No.1987 of 2019

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