



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P(MD)No.537 of 2019

Otchuraja

... Petitioner

Vs.

- 1.The Superintendent of Police,
Madurai District.
- 2.The Inspector of Police,
Vickramangalam Police Station,
Madurai District.
- 3.Rajesh Sharma

... Respondents

Prayer: Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Habeas Corpus, to direct the respondents 1 & 2 to produce the body or person of the petitioner's daughter, namely, Aruna, aged about 21 years before this Court and set her at liberty.

For Petitioner : Mr.R.Udhayakumar

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

Mr.V.S.Kishok kumar for R.3

ORDER

(Order of the Court was made by **B.PUGALENDHI, J.**)

The petitioner is the father of the detainee, namely, Aruna, aged about 21 years and according to him, his daughter / the detainee is studying M.Sc Degree at S.Vellaichamy Nadar College, Nagamalai Pudukottai, Madurai. While so, on 31.05.2019, at about 02.00 pm, the third respondent along with his friends has trespassed into his house and forcibly taken his daughter, for which, the petitioner has lodged a complaint before the second respondent Police on 31.05.2019, at about 05.00 pm and the same was treated as petition enquiry in C.S.R.No.96 of 2019. Alleging that the second respondent Police has not acted upon the said complaint,



the petitioner has filed the present Habeas Corpus Petition.

2. When the matter was taken up for hearing on 21.06.2019, this Court directed the second respondent Police to produce the detenue as well as the third respondent before this Court on the next date of hearing, under proper custody.

3. A mention was made by the learned Additional Public Prosecutor that the detenue and the third respondent are being produced and accordingly, the matter is listed today.

4. On enquiry, the detenue has stated that she has completed M.Sc first year Decree Course and on her own volition, she has married the third respondent and is now living with the third respondent. She has further stated that they are also taking steps to register their marriage.

5. The third respondent, who is present before this Court, also stated that his parents have agreed for the marriage and they are taking good care of his wife / the detenue.

6. The petitioner, who is present before this Court, is also been aware of the statements made by the detenue.

7. Since the detenue is a major, aged about 21 years and according to her, she married the third respondent, on her own volition and they are taking steps to register the marriage, this Court does not find any illegal detention / custody.

8. In fine, this Habeas Corpus Petition is closed, as no illegal detention is made out.

Sd/-

Assistant Registrar(AE)

// True Copy //

Sub Assistant Registrar(CS)

gk/dsk

To

1.The Superintendent of Police, Madurai District.

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

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

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