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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.06.2019

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THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P (MD) No.568 of 2019

P.Arulraj

... Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District.

2.The Inspector of Police,
Courtallam Police Station,
Tirunelveli.

3.Ramakrishnan

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 herein to produce the body and person of petitioner's daughter A.Lakshiya, aged 22 years, from the illegal custody of the third respondent herein before this Court.

For Petitioner : Mr.K.Appadurai

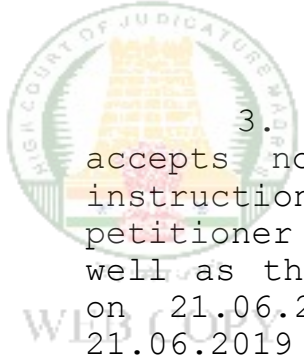
For Respondents : Mr.K.Dinesh Babu
Additional Public Prosecutor
for R.1 and R.2

ORDER

(Order of the Court was made by M.SATHYANARAYANAN, J)

The petitioner is the father of the detenu, namely A.Lakshiya, aged about 22 years and according to him, she is having qualification of B.A., B.Ed., and on 17.06.2019, under the pretext of getting testimonials from the College she studied, went out and did not return and the petitioner, alleging illegal custody and detention at the hands of the third respondent, has made a complaint on the file of the second respondent and since the same has not been invoked any kind of response, he came forward to file this Habeas Corpus Petition.

2. Heard the submissions of the learned Counsel appearing for the petitioner.



3. Mr.K.Dinesh Babu, learned Additional Public Prosecutor, accepts notice on behalf of the respondents 1 and 2 and on instructions, he would submit that the complaint given by the petitioner was assigned as C.S.R.No.453 of 2019 and the detenu as well as the third respondent appeared before the second respondent on 21.06.2019 and the detenu has also given a letter dated 21.06.2019 in writing stating that she is in love with the third respondent, who is also a divorcée and she want to live with the third respondent as his wife and she is not willing to go with his father.

4. In the light of the said development, this Court is of the considered view that no positive order can be passed in favour of the petitioner as to the custody of the detenu, who is admittedly a major and also well educated.

5. In the result, the Habeas Corpus Petition is dismissed.

Sd/-

Assistant Registrar (AS)

/ True Copy /

Sub Assistant Registrar(CS-)

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To

1.The Superintendent of Police,
Tirunelveli District.

2.The Inspector of Police,
Courtallam Police Station,
Tirunelveli.

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

+1 CC to M/s.K.APPADURAI, Advocate (SR-72125[F] dated 28/06/2019)

H.C.P(MD)No.568 of 2019
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ES/11.07.2019/2P/5C