



BEFORE THE MADURAI BENCH OF THE MADRAS HIGH COURT

DATE : 14.08.2019

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
AND

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

H.C.P. (MD) NO. 770 OF 2019

A.Palanisamy

... Petitioner

- Vs -

1. State rep. by
The Superintendent of Police
Trichy District, Trichy.

2. State rep. by
The Inspector of Police
Manapparai Police Station
Trichy District.

3. Naveenkumar
4. A.Moorthi
5. Thangavel @ Ramamoorthi
6. Ranjithkumar
7. Annakodi
8. Shanthi
9. Jegadeeskumar
10. Sudhamani

... Respondents

Petition filed under Article 226 of the Constitution of India praying this Court for the issuance of a writ of habeas corpus directing the respondents 1 & 2 to produce the body or person of the detinue, viz., Subalakshmi, D/o A.Palanisamy, aged about 21 years, from the illegal custody of respondents 3 to 10 before this Hon'ble Court, and set her at liberty.

For Petitioner : Mr. A.Joel Paul Antony
For Respondents : Mr. K.Dinesh Babu, APP

ORDER

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

The petitioner is the father of the detinue, viz., Subalakshmi, aged about 21 years, who is also a graduate and according to the petitioner, the 3rd respondent is a married man, and he had abducted his daughter and alleging her illegal custody/detention at the hands of the 3rd respondent, came forward to file the present petition.



2. Heard the learned counsel appearing for the petitioner and perused the materials available on record.

3. Mr.Dinesh Babu, learned Addl. Public Prosecutor, who takes notice for the respondents 1 and 2, on instructions, submit that on an earlier occasion, the daughter of the petitioner - the detinue, had eloped with the 3rd respondent and in this regard, Palaviduthi police station registered a case in Crime No.105/2019 and subsequently traced the detinue and handed over her custody to her parents and once again the detinue had eloped with the 3rd respondent, who is a married man.

4. In the light of the above facts and circumstances, the detinue being a major and had left on her own volition, this Court is of the prima facie view that this habeas corpus petition is not maintainable and, accordingly, the same is liable to be dismissed.

5. Accordingly, this habeas corpus petition is dismissed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Superintendent of Police
Trichy District, Trichy.
2. The Inspector of Police
Manapparai Police Station
Trichy District.
3. The Addl. Public Prosecutor
Madurai Bench of Madras High Court
Madurai.

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