



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.10.2019

CORAM:

THE HON'BLE MR JUSTICE S. VAIDYANATHAN

AND

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

H.C.P (MD) No.836 of 2019

Nagamuthu : Petitioner/Father of the Detenu
Vs.

1.The Superintendent of Police,
Pudukkottai District, Pudukkottai.

2.The Inspector of Police,
Pudukkottai Town Police Station,
Pudukkottai District.

3.Marimuthu

4.Siva : Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, to direct the first and second respondents to produce the detenu, namely, Minor, Nagalakshmi, D/o.Nagamuthu, aged about 17 years, before this Court and hand over the custody of the detenu to the petitioner herein.

For Petitioner	: Mr.S.Poornachandran
For R1 and R2	: Mr.K.Dinesh Babu Additional Public Prosecutor
For R3 and R4	: No Apperance

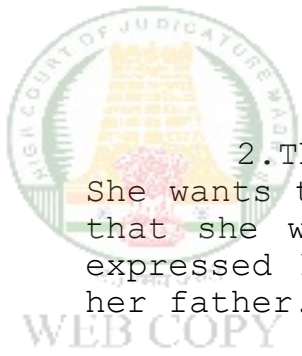
O R D E R

S.VAIDYANATHAN, J.

AND

N.ANAND VENKATESH, J.

The detenu Nagalakshmi was produced before this Court. We examined the detenu and she stated that her date of birth is 18.02.2002 and that she has completed 12th standard. She further stated that she fell in love with the third respondent, namely, Marimuthu and both of them married and were living at Thiruppur for the last seven months. Subsequent to the FIR registered by the respondent police, the third respondent and the detenu were picked up from Thiruppur and the third respondent has already been arrested and remanded to judicial custody.



2.The detenu stated that she will continue with her studies. She wants to get married to the third respondent. She further stated that she will also go by her parents' advice in this regard. She expressed her willingness to go along with the petitioner, who is her father.

3.The learned Additional Public Prosecutor submitted that five persons have been arrested in this case and all of them were remanded to judicial custody. He further submitted that a bail petition has been filed by all the accused persons before the concerned Court. He also submitted that the detenu was made to stay in a home and she has been brought from the home to the Court today.

4.Taking into consideration the facts and circumstances of the case, the parents of the detenu were examined and they stated that they will not go against the interest of their daughter and they will not force her to any other marriage. They further stated that they will talk with the elders and will get the detenu married with the third respondent in future, after the detenu attains the marriageable age.

5.In view of the above development, no further orders can be passed by this Court in this Habeas Corpus Petition. It is a case of love affair between the detenu and the third respondent and there is no dispute regarding the same. The bail Court shall keep that in mind at the time of deciding the bail petition. The detenu is permitted to go along with her parents and a copy of this order shall be marked to the "Women and Children Protection Home, REECKO Charitable Trust, Aavudaiyarkovil, Pudukkottai District".

6.This Habeas Corpus Petition is disposed of accordingly.

Sd/-

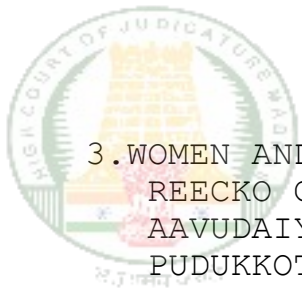
Assistant Registrar

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Sub Assistant Registrar(CS)

To

- 1.The Superintendent of Police,
Pudukkottai District, Pudukkottai.
- 2.The Inspector of Police,
Pudukkottai Town Police Station,
Pudukkottai District.



3.WOMEN AND CHILDREN PROTECTION HOME,
REECKO CHARITABLE TRUST,
AAVUDAIYARKOVIL,
PUDUKKOTTAI DISTRICT.

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ORDER MADE IN
H.C.P (MD) No.836 of 2019
Dated:01.10.2019

das/PJL
VB (21.10.2019) 3P 4C