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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.10.2019

CORAM:

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN
AND
THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

H.C.P(MD)No.847 of 2019

M.Ganesan ... Petitioner/Father of the detenue

Vs.

1. The Superintendent of Prison,
Ramanathapuram District,
Ramanathapuram.

2. The Inspector of Police,
Thiruvadanai Taluk Police Station,
Ramanathapuram District.

3. T.Vikky @ Vigneswaran ... Respondents

PRAYER: This Habeas Corpus Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Habeas Corpus, directing the 1st and 2nd respondents to produce the body and person of the detenue named G.Surya, D/o Ganesan aged about 17 years from the alleged custody of the 3rd respondent before this Court and set her at liberty.

For Petitioner : Mr.R.Sevugaraja

For RR 1 & 2 : Mr.K.Dinesh Babu,
Additional Public Prosecutor

O R D E R

The detenue Surya was produced before this Court. We examined the detenue and she stated that her date of birth is 17.10.2001. She further stated that she had developed relationship with the third respondent and both of them decided to marry each other. Therefore, they eloped to Velayuthapalayam, Karur district and the third respondent is said to be working in a hotel in the said place.

2. Ultimately, the detenue was secured by the respondent police and was made to stay at Government Children Home (CWC), Ramanathapuram. Today, she has been produced before this Court from the Home. The detenue categorically stated that she wants to marry

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the 3rd respondent.

3. The parents of the detenue stated that they have not taken any decision regarding the marriage of the detenue with the third respondent. The father of the detenue is also working in a hotel at Coimbatore. They stated that they will enquire about the family and the third respondent and thereafter, take a decision in that regard. They also stated that have one more younger daughter.

4. We adviced the detenue to go along with her parents, since she is a minor, as on date and that she is not capable to take any decision on her own and she also agreed to go along with her parents.

5. In view of the above development, no further order is necessary to be passed in this Habeas Corpus Petition. By recording the statements made by the respective parties and the submissions made by the learned counsel appearing on either side, this Habeas Corpus Petition is disposed of.

Sd/-

Assistant Registrar (Writes)

// True Copy //

Sub Assistant Registrar(CS)

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To

1. The Superintendent of Prison,
Ramanathapuram District,
Ramanathapuram.

2. The Inspector of Police,
Thiruvadanai Taluk Police Station,
Ramanathapuram District.

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

4.Government Children Home, (CWC)
Ramanathapuram.

Order made in
H.C.P(MD)No.847 of 2019
Dated: 15.10.2019

JMN(25.10.2019) 2P : 5C

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