



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on : 15.04.2019

Pronounced on : 22.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

and

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P (MD) No.1734 of 2018

S.Manickavalli

... Petitioner

Vs.

1.The Superintendent of Police,
Sivagangai District.

2.The Inspector of Police,
Ulagampatti Police Station,
Sivagangai District.

3.Murugan

4.Ramakrishnan

... Respondents

[R.4 suo motu impleaded vide order dated 21.01.2019]

Prayer: Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Habeas Corpus, directing the respondents 1 & 2 to produce the body or person of the detenu / petitioner's daughter, namely, Ramana Devi, D/o.Sevugan, aged about 19 years from the illegal custody of the third respondent and set her at liberty.

For Petitioner : Mr.K.G.Arun Kumar

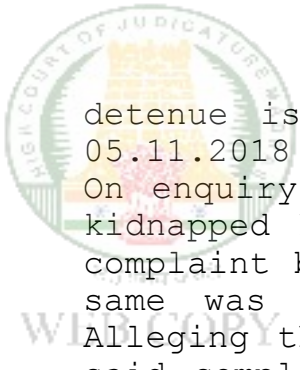
For Respondents : Mr.M.Chandrasekaran
Additional Public Prosecutor
for R.1 & R.2

Mr.T.Lajapathi Roy for R.4
Mr.Veera. Kathiravan Senior Counsel
Amicus Curiae

O R D E R

(Order of the Court was made by **P.N.PRAKASH, J.**)

The petitioner is the mother of the detenu, namely, Ramana Devi, aged about 19 years and according to her, her daughter / the



detenue is Working at Coimbatore and she came to their house on 05.11.2018 for Deepavali and on 10.11.2018, she was found missing. On enquiry, she came to know that the third respondent herein has kidnapped her daughter and therefore, the petitioner has lodged a complaint before the second respondent Police on 18.11.2018 and the same was treated as petition enquiry in C.S.R.No.155 of 2018. 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, the detenue was produced before this Court and on enquiry, she would state that she is a major and on her own volition, she has left the parental home and married the third respondent on 14.01.2019.

3. The third respondent, who is present before this Court, also stated that he and the detenue are lovers and they got married on 14.01.2019, in the presence of a Sangam, namely, கலம் புத்திருமணம் புரிந்தோர் நலச்சங்கம் at Coimbatore.

4. The petitioner, who is present before this Court, is also been aware of the statements made by the detenue. However, she questioned the legality of the marriage performed by the Sangam.

5. Be that as it may, since the detenue is a major and according to her, she, on her own volition, has left the parental home and married the third respondent, this Court does not find any illegal detention / custody.

6. Hence, this Habeas Corpus Petition is closed, as no illegal detention is made out and the detenue is set at liberty, enabling her to take a call as to her own future and well being.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

gk

To

1.The Superintendent of Police,
Sivagangai District.

2.The Inspector of Police,
Ulagampatti Police Station,
Sivagangai District.



WEB COPY

HCP (MD) No. 1734/18

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

**Pre-Delivery orders made in
H.C.P (MD) No. 1734 of 2018
22.10.2019**

al (CO)
TR (22.11.2019) 3P 4C