

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2020

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

H.C.P.No.423 of 2020

M.Gopinath
S/o.Murugesan ... Petitioner

Vs

The Inspector of Police,
Pallikkaranaï,
Chennai. ... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing respondent to find and produce petitioner's daughter viz., G.Rekha D/o.M.Gopinath, aged 28 years, before this Court and set her at liberty.

For Petitioner : Mr.D.Nellaiappan
For Respondent : Mr.R.Prathap Kumar
Additional Public Prosecutor
For Detenue : Mr.A.Praveen Kumar

O R D E R

[Order of this Court was made by R.SUBBIAH, J]

Petitioner is the father of the detenue viz., G.Rekha D/o.M.Gopinath, aged 28 years and has filed the present petition seeking to produce the detenue before this Court and set her at liberty.

2. Heard learned counsel for petitioner, learned counsel appearing for respondent and learned counsel for detenue.

3. Learned counsel for petitioner submits that the detenue is an Engineering Graduate and she went missing from 23.12.2019. After searching for the detenue with the friends and relatives,

petitioner preferred a complaint on 25.12.2019. The respondent police found that the detainee is living with one Mohamed Azim and on enquiry, it was found that both of them got married and the same was duly registered. Petitioner's effort to talk with the detainee ended in vain. Petitioner apprehends that the detainee is under the control and influence of Mohamed Azim and his friends and hence, he has filed the present petition seeking the aforesaid relief.

4. Today, the detainee is produced. On enquiry, she stated that she converted as a Muslim and married Mohamed Azim on her volition. She also expressed her unwillingness to join the petitioner. The mother-in-law of the detainee is also present. She also stated that both detainee and his son were married and living happily. In the aforesaid circumstance, this Court finds that there is no illegal detention of the detainee. Moreover, the detainee is a major and hence, she is entitled to take her own decision.

Accordingly, the Habeas Corpus Petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
Pallikaranai,
Chennai.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.D.Nellaiappan, Advocate Sr.17896

+1cc to Mr.A.Praveen Kumar, Advocate Sr.17295

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