

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
AND
THE HONOURABLE MRS.JUSTICE R.HEMALATHA

H.C.P.No.401 of 2020

K.Mahadevan

...Petitioner

VS

1.State represented by,
The Superintendent of Police,
Villupuram - 605 502.

2.The Inspector of Police,
Gingee Police Station,
Villupuram District - 604 202.

3.K.Vasanth

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Habeas Corpus, directing the 2nd respondent to produce the body of the petitioner's daughter namely M.Srividhya D/o.K.Mahadevan aged about 20 years, before this Court from the illegal custody of the 3rd respondent and set her at liberty.

For Petitioner : Mr.J.Agni Selvaraju.
For Respondents : Mr. R. Prathap Kumar,
Additional Public Prosecutor
for R1 & R2.
Mr.W.Camyles Gandhi for R3.

ORDER

(Order of the court was made by N.KIRUBAKARAN.J.,)

The Petitioner has come before this Court stating that his daughter viz., Ms.M.Srividhya is missing and he gave a complaint to the second respondent police and thereafter, First Information Report has been registered in Cr.No.69 of 2020 dated 09.02.2020. Since, no action has been taken, the petitioner has filed this petition.

2. When the matter is called today, the detenue appeared before this Court along with the third respondent. The petitioner and his wife are also present before this Court. She stated that she completed B.Com., and doing her M.Com., in correspondence and stated that she got married with the third respondent on 12.03.2020 who was her college mate and she is living with him. She further stated that she does not want to go with her parents stating that they will do away with her life.

3. The mother of the third respondent is also present before this Court and she also apprehends that there is a security threat to her son and daughter-in-law and also to her. Hence, this Court warns the petitioner and her wife, not to interfere with the life of their daughter. If possible, the parents of the detenue shall recognize her marriage and bless the couple. Since the detenue is a major and she herself declared that she got married with the third respondent and she is living with him, this Court is not in a position to grant the relief sought for in this petition.

3. With the above observations, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police, Villupuram - 605 502.

2. The Inspector of Police, Gingee Police Station,
Villupuram District - 604 202.

3. The Additional Public Prosecutor,
High Court of Madras, Chennai.

+1 CC to Mr. W. Camyles Gandhi, Advocate sr 24190 (06/10/2020)

H.C.P.No.401 of 2020

RK (CO)

RPP (22/05/2020)