

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 12.03.2020
CORAM
THE HONOURABLE MR. JUSTICE N. KIRUBAKARAN
AND
THE HONOURABLE MRS. JUSTICE R. HEMALATHA
H.C.P No. 483 OF 2020

Kandasamy

..Petitioner

Vs.

1. The Inspector of Police,
All Women's Police Station,
Namakkal.
2. Lalith Gowtham
3. MadhuBala ...Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Habeas Corpus to direct the 1st respondent to produce the petitioner daughter namely Sandhya @ Saranya, aged about 26 years before this Hon'ble Court, from the custody of the 2nd and 3rd respondents and set her at liberty.

For Petitioner :: Mr.K. Pragadeesh Kumar

For Respondents:: Mr.R. Prathap Kumar
Addl Public Prosecutor
for R1

O R D E R

(Order of the Court was made by R. HEMALATHA, J.)

The petitioner Kandasamy, father of the detainee, Sandhya @ Saranya, aged 26 years has filed this petition to produce his daughter from the custody of the 2nd respondent and set her at liberty.

2. Notice was issued to the respondents and in response to the notice, the Police produced the alleged detainee Sandhya @ Saranya before this Court.

3. When we interacted with the detainee namely, Sandhya @ Saranya, she stated that she married the 2nd respondent Lalith Gautham on 22.10.2019 at a Murugan Temple in Bangalore. She further averred that though she tried to convince her parents that she wanted to marry the 2nd respondent, they did not accept the same and therefore, she was compelled to marry the 2nd respondent without the permission of her parents. It is seen that the detainee's age is 26 years and she is a major. In the circumstances, this Court is convinced that she would be in a position to take an independent decision on her own and does not require any instructions or guidance from this Court.

4. In view of the above, the detainee is set at liberty and the Habeas Corpus Petition is disposed of accordingly. No costs.

-s/d-
Assistant Registrar

True Copy
Sub-Assistant Registrar

nv

To

1. The Inspector of Police,
All Women's Police Station,
Namakkal.
2. The Public Prosecutor,
High Court, Madras.

H.C.P. No. 483 of 2020

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