

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
AND
THE HONOURABLE MS.JUSTICE V.M.VELUMANI

H.C.P. No. 1085 of 2020

M. Kesavan, Male aged 57 years,
S/o. Manickavel,
No.98, MIG NHI,
Vallal Seethakkathi Street,
Maraimalai Nagar, Kancheepuram.

... Petitioner/ Father
of the detainee

Vs

1.The State rep. By its Secretary,
The Superintendent of Police,
Chengalpattu, Chengalpattu District.

2.The State rep. By
The Inspector of Police,
Maraimalai Nagar Police Station,
Chengalpattu District.

3.Mr. Kanpath, M/52 years,
S/o. Thomas

4.Nithish Chinnu, M/21 years,
S/o. Kanpath,
3rd and 4th both are residing at
Othavaada Street, Kilpauk,
Arakonam, Vellore.

... 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 physically bring and
produce the body of the petitioner's daughter K. Sathi Priya,
aged about 20 years before this Court and set her at liberty.

For Petitioner : Mr. S. Sugendran

For Respondents: Mrs. M. Prabhavathi,

(For R1 & R2)
(Additional Public Prosecutor)
Mr. S.N. Arunkumar (For R3 & R4)

O R D E R
(Order of the court was made by N.KIRUBAKARAN,J.)

The matter is heard through "Video Conferencing".

2. The petitioner has filed the present Habeas Corpus Petition seeking production of his daughter namely K.Sathi Priya, aged about 20 years, making allegations against the 4th respondent, one Nithish Chinnu. However, the learned counsel appearing for the respondents 3 and 4 would submit that the correct name of 4th respondent is Nithish Kumar, who is son of the 3rd respondent. Upon notice, on 01.07.2020, the learned counsel appearing on behalf of the respondents 3 and 4 undertook to produce the detainee through Video Conference on 07.07.2020.

3. When the matter was called on 07.07.2020, as undertaken by the learned counsel appearing on behalf of the respondents 3 and 4, the detainee appeared through Video Conferencing from the office of Mr.S.N.Arunkumar, learned counsel for the respondents 3 and 4 and stated that on her own volition, she got married to the 4th respondent and there was no compulsion and she even refused to meet her parents. Therefore, the matter was adjourned by two weeks.

4. When the matter is called today, the detainee appeared along with her parents through Video Conferencing from the office of the learned counsel appearing on behalf of the petitioner and submitted that on her own volition she had left the house of the 4th respondent, after informing the 4th respondent, as she felt that her safety and security is endangered in his house and she was being blackmailed. She would further submit that there may be a threat to her life in future also and seeks security. She also admitted that on 07.07.2020, when she appeared before this Court through Video Conferencing, she was surrounded by the family members of the 4th respondent and therefore, out of fear, she could not express the correct position.

5. Mr. S.N. Arunkumar, learned counsel appearing for the respondents 3 and 4 would submit that inspite of information given to the 4th respondent, he has not turned up today. However, he would submit that he would advise the 4th respondent that there should not be any threat to the life of the detainee henceforth.

6. Since the detainee has joined the petitioner's family, as evident from her appearance through Video Conferencing along with her parents, the Habeas Corpus Petition is closed. However, in case of any threat to the detainee and her family, the petitioner is at liberty to lodge a police complaint, which should be looked into properly.

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

- 1.The Superintendent of Police,
The State of Tamil Nadu,
Chengalpattu, Chengalpattu District.
- 2.The Inspector of Police,
The State of Tamil Nadu,
Maraimalai Nagar Police Station,
Chengalpattu District.
- 3.The Public Prosecutor,
High Court, Madras.

H.C.P. No. 1085 of 2020

NRL (CO)
SP(29/09/2020)

सत्यमेव जयते

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