

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2020

CORAM:

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

H.C.P.No.1210 of 2020

Venkadachalam, Male, aged 56 years,
S/o.Kanniappan,
Pallakkadduthottam,
Olapalayam,
Pattimanikaran Palayam (Post),
Nambiyur Taluk,
Erode District. ... Petitioner

Vs.

- 1.The Superintendent of Police,
Erode, Erode District.
- 2.State represented by Inspector of Police,
Punja Puliampatti Police Station,
Erode District.
- 3.Saminathan,
S/o.Bhaskaran.
- 4.Kavitha,
W/o.Saminathan.
Both residing at
No.172, Kullathuthottam
Alangari palayam
Varapalayam Post
Nambiyur Taluk
Erode District. .. Respondents

PRAYER: This petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Habeas Corpus directing the 2nd respondent/Police to produce the body of the petitioner's daughter Gowri aged about 28 years and petitioner's grand daughter Nethra, aged about 8 years old before this Court and set them at liberty from illegal custody of respondents 3 and 4.

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For Petitioner : Mr.J.Franklin

For R1 and R2 : Mrs.M.Prabhavathi
Additional Public Prosecutor

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 Habeas Corpus Petition stating that his daughter, along with his grand daughter Nethra is missing. Therefore, making the husband of the petitioner's daughter Saminathan as 3rd respondent, the present Habeas Corpus Petition has been filed.

3.When the matter is called today, Mrs.Gowri, the petitioner's daughter and Nethra, grand daughter of the petitioner are produced through Video-conferencing from Punja Puliampatti Police Station, Erode District. Mrs.Gowri would submit that she got married to the 3rd respondent herein as second marriage, even though the first wife of the 3rd respondent, the 4th respondent herein is presently living with him in the same house. Due to family dispute with her husband, she came to Tiruppur and now living in a friend's house along with her daughter.

4.The petitioner is also present through Video-conferencing from Punja Puliampatti Police Station, Erode District. Even though he expressed his willingness to take his daughter to his house, the detinue Gowri is very firm that she would not go either with her father or with her husband and she wants to lead her life separately. Since she is an adult, got a child, working in a Banian Company at Tiruppur and she expressed her disinclination to go with the petitioner and she wants to lead a separate life, the present Habeas Corpus Petition is closed based on the above facts.

Accordingly, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(CS-III)

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Sub Assistant Registrar

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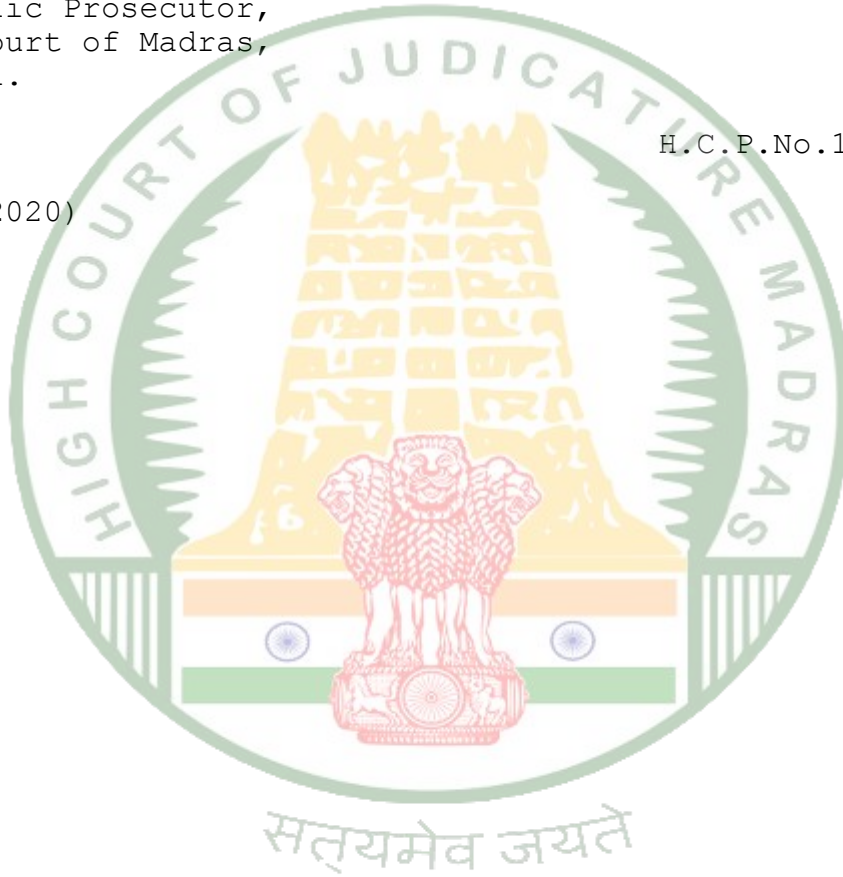
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To

- 1.The Superintendent of Police,
Erode, Erode District.
- 2.State represented by Inspector of Police,
Punja Puliampatti Police Station,
Erode District.
- 3.The Public Prosecutor,
High Court of Madras,
Chennai.

H.C.P.No.1210 of 2020

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