

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2020

CORAM :

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

H.C.P. No.1426 of 2020

Muniraj, M/A. 49 years,
S/o. Late. Sikkanna,
M. Thotti Village,
Enisolai Post,
Soolagiri Taluk,
Krishnagiri District.

... Petitioner /Father of Detenue

Vs.

1.The Superintendent of Police,
Krishnagiri District,
Krishnagiri.

2.The Inspector of Police,
Shoolagiri Police Station,
Krishnagiri District.

3.Raj Kumar,
S/o. Perumal,
Yenusonai Post,
Thiyagarasanapalli Panchayat,
Soolagiri Taluk,
Krishnagiri District.

... Respondents

PRAYER: This Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Habeas Corpus, to direct the 1st and 2nd respondents to produce the detenue Madhu, daughter of Muniraj, aged 19 years, now under custody in the hands of 3rd respondent herein, before this Court and set her at liberty.

For Petitioner : Mr. R. Sankarasubbu
For R1 & 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 this petition seeking production of his daughter Madhu aged about 19 years.

3.When the matter is called today, Mr.Sivagnanam, Special Sub-Inspector of Police, Soolagiri Police Station, Krishnagiri District, has produced the detainee and the person who said to have married the detainee, namely, the 3rd respondent, his parents as well as the petitioner family. Though the petitioner's wife, the mother of the detainee stated that her daughter was abducted by the 3rd respondent, Mrs.Madhu, the detainee, categorically stated that on her own volition, she went along with the 3rd respondent to Bangalore and got married on 01.06.2020 in a temple at Bangalore and she has been living with the 3rd respondent as husband and wife.

4.The 3rd respondent's father Perumal is also present and he would submit that the detainee is living along with his son as husband and wife and he has got no objection.

5.Mrs.Madhu, the detainee, categorically stated that she would like to go along with her husband and not with her parents. Since the detainee is a major, aged 19 years, the 3rd respondent is also aged 21 years and they have already got married and are living as husband and wife, it is very clear that she is not in illegal custody.

6.Recording the above, the present H.C.P. is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

- 1.The Superintendent of Police,
Krishnagiri District,
Krishnagiri.
- 2.The Inspector of Police,
Shoolagiri Police Station,
Krishnagiri District.
- 3.The Public Prosecutor
High Court, Chennai.

H.C.P. No. 1426 of 2020

A.SK(12/10/2020)