

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2020

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
AND
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

HCP.No.1439 of 2020

R.Durgadevi, F/40,

.. Petitioner

.Vs.

1. The Superintendent of Police,
Thiruvallur, Thiruvallur District-602 001.
2. State Rep by
Inspector of Police,
All Women's Police Station,
Ponneri, Thiruvallur District - 601 204.
3. Magi @ Magesh
Lakshmi Amman Koil Street,
(Behind Lakshmi Amman Kovil)
Solavaram, Karanodai,
Thiruvallur District - 600 067.
4. The Inspector of Police,
Ponneri Police Station (Law & Order)
Thiruvallur District.
(R4 is suo motu impleaded as per order in
HCP.No.1439 of 2020 dated 07.09.2020)

.. Respondents

Prayer : Petition filed under Article 226 of Constitution of India for issue of a Writ of Habeas Corpus directing the 2nd respondent to produce the petitioner daughter R.Sumithra, F/A 18 years daughter of Rajendran before this Hon'ble Court from the custody of 3rd respondent and set her at liberty.

For Petitioner : Mr.M.Thiyagarajan

For Respondents : Mr.R.Prathap Kumar
Additional Public Prosecutor

ORDER

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

The matter was heard through videoconferencing.

2. The petitioner has filed the present Habeas Corpus Petition for production of her minor daughter R. Sumithra, who is missing from 30.06.2020 onwards. It is stated in paragraph No. 4 of the affidavit that though the petitioner was informed that her daughter already got married to the 3rd respondent, her daughter is a minor and therefore, the marriage is not valid.

3. When the matter is called today, the detinue R. Sumithra appeared through videoconferencing and she would state that she got married to the 3rd respondent on 01.07.2020 at Kattu Selliamman Temple at Oothukottai. She would submit that she was born on 01.07.2002 and she has already attained majority.

4. The petitioner is also present. She would submit that she would not recognise the marriage. Moreover, she would state that the friends of the 3rd respondent are creating problems for her and her husband and also interfering with their flower sale business. Therefore, this Court told the 3rd respondent not to create any problem for the petitioner, her husband and to their business. The 3rd respondent would also assure that his friends will not create any problem for the petitioner or her husband or interfere with their business.

5. Since the detinue has attained majority and also got married to the 3rd respondent, it is clear that there is no illegal custody of the detinue.

6. Recording the above facts, the Habeas Corpus Petition is closed.

सत्यमेव जयते

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Superintendent of Police,
Thiruvallur, Thiruvallur District - 602 001.

2. The Inspector of Police,
All Women's Police Station,
Ponneri, Thiruvallur District - 601 204.
3. The Inspector of Police,
Ponneri Police Station (Law & Order)
Thiruvallur District.
4. The Public Prosecutor, High Court, Madras.

H.C.P.No.1439 of 2020

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