

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2020

CORAM :

THE HONOURABLE MR.JUSTICE V.PARTHIBAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Habeas Corpus Petition No.1950 of 2020

P.Sekar

...Petitioner

-vs-

1.The Superintendent of Police,
Office of the Superintendent,
Ariyalur District.

2.The State of Tamil Nadu,
Rep by its Inspector of Police,
T Pazhur Police Station,
Ariyalur District.

3.R.Vijay

4.Karunanidhi

5.Ramalingam

...Respondents

Petition filed under Article 226 of the Constitution of India praying for a Writ of Habeas Corpus, to direct the second respondent to produce the petitioner's daughter Abinaya, aged 19 years, daughter of Sekar before this Court from the custody of the 3rd to 5th respondent and set her liberty.

For Petitioner : Mr.V.Arul
For Respondent : Mrs.V.Saratha Devi,
Government Advocate
(for R.1 & R.2)

ORDER

[Order of the Court was made by G.R.Swaminathan, J.]

This matter is taken up through Web Hearing.

2.Heard the learned counsel for the petitioner and the learned Government Advocate appearing for respondents 1 & 2.

3.The petitioner is the father of the alleged detenue. The petitioner stated that his daughter S.Abinaya had been abducted and she is said to be with one minor boy, who is the son of the fifth respondent. In order to obtain production of his daughter, this petition has been filed.

4.When the matter is taken up for hearing, the learned Government Advocate submitted that the petitioner's daughter S.Abinaya appeared before All Women Police Station, Ariyalur District and had given statement in writing that she has voluntarily left the house and she is with one Vijay. She also claims that she is already married to Vijay. We are not concerned with Abinaya's marriage with Vijay. The only question arises for consideration is whether S.Abinaya is detained against her will. We are satisfied that S.Abinaya, who is a major, has left the petitioner's custody on her own accord. Therefore, no case has been made out for issuance of any notice to the private respondents.

5.Recording the submission of the learned Government Advocate, the present Habeas Corpus Petition stands closed.

Sd/-

Assistant Registrar(VO)

//True Copy//

Sub Assistant Registrar

vsi/mrm

To

1.The Superintendent of Police,
Office of the Superintendent,
Ariyalur District.

2.The Inspector of Police,
T Pazhur Police Station,
Ariyalur District.

3.The Public Prosecutor,
High Court, Madras.

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MP (CO)
KKV/28/10/2020