

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2020

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice D.KRISHNAKUMAR

H.C.P. No. 2482 of 2019

Thangamani

... Petitioner

Vs

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

2.The Inspector of Police,
Tharamangalam Police Station,
Tharamangalam,
Salem District.
(Crime No.345/2019)

3.Palanisamy

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Habeas Corpus directing respondents 1 and 2 herein to produce the body and person of the detainee by name Kanimozhi, daughter of Elangovan, aged about 22 years, before this Court and set her at liberty.

For Petitioner .. Mr.M.R.Jothimanian

For Respondents.. Mr.R.Prathap Kumar,
Addl. Public Prosecutor for R1 and R2

ORDER

[Order of the Court was made by M.M.SUNDRESH, J.]

The petitioner, who is the mother of the detainee, seeks her production before this Court.

2.Heard the learned counsel appearing for the parties.

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3.On a perusal of the status report filed by the Deputy Superintendent of Police, Omalur, we find that the investigation has been done extensively.

4.Learned counsel appearing for the petitioner submitted that the detenue has left the matrimonial home, though married the third respondent on her own volition without the consent of the petitioner only because of the reason, he was married already.

5.We are not inclined to go into the said issue as it is for the Deputy Superintendent of Police, Omalur who has taken up the investigation to deal with the same. Suffice it to say that the investigation made thus far would indicate that the detenue left on her own. Admittedly, she is a major. She was also suffering from epilepsy and she has indicated that she is going to commit suicide.

6.Thus, we do not find any illegal detention involved in this case much less at the hands of the third respondent.

7.Accordingly, the habeas corpus petition stands closed. However, we direct the Deputy Superintendent of Police, Omalur to continue with the investigation and secure the detenue.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

mmi/ssm

To

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

2.The Inspector of Police,
Tharamangalam Police Station,
Tharamangalam,
Salem District.
(Crime No.345/19)

3.The Deputy Superintendent of Police,
Omalur.

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4.The Public Prosecutor,
High Court, Madras.

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