

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2020

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

H.C.P.No.2698 of 2019

P.Murugesan
S/o.Periyasami

... Petitioner

Vs

1.The Superintendent of Police,
Superintendent of Police Office,
Dharmapuri Town,
Dharmapuri District - 636701.

2.The Inspector of Police,
B-2 Police Station,
Dharmapuri Town,
Dharmapuri District - 636701.

3.The Inspector of Police,
SH-27, Kunnam Police Station,
Perambalur Ariyalur Road,
Kunnam Taluk,
Perambalur District - 621708.

[R3 impleaded vide order of this Court
in Crl.M.P.No.124 of 2020 in
H.C.P.No.2698 of 2019 dated 09.01.2020]

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing second respondent to produce the body of the detinue Gowri D/o.P.Murugesan, aged about 18 years, daughter of the petitioner herein, before this Court and set her at liberty.

For Petitioner : Mr.Kavitha Ponraj
For Respondents: Mr.R.Prathap Kumar
Additional Public Prosecutor

O R D E R

[Order of this Court was made by R.SUBBIAH, J]

Petitioner is the father of the detinue Gowri D/o.P.Murugesan, aged about 18 years and has filed the present petition seeking a direction to second respondent to produce her daughter before this Court and set her at liberty.

2. Heard learned counsel for petitioner and learned Additional Public Prosecutor appearing for respondents.

3. Learned counsel for petitioner submits that the detinue, who is a law student, on 09.08.2019, left to college taking an amount of Rs.3,000/- to pay her hostel fee. Upon coming to know that the detinue was roaming with a boy, petitioner tried to contact her over phone several times, but the same was switched off. Hence, petitioner immediately preferred a complaint to the second respondent. Since no action was taken, the present petition has been filed seeking the aforesaid relief.

4. Heard learned Additional Public Prosecutor on the above submissions.

5. Today, the detinue was produced before this Court. We enquired the detinue, one Thangaraj and the petitioner. The detinue states that there is a love affair between her and the said Thangaraj and that she eloped with him on her own accord. The detinue further states that she married the said Thangaraj in the month of November 2019 in a Church. Detinue, a major, expressed her unwillingness to go along with the petitioner. In the said circumstance, it cannot be said that the detinue is under illegal custody of the said Thangaraj.

Accordingly, recording the statement of the detinue, this Habeas Corpus Petition is closed.

Sd/-
Assistant Registrar(CS VI)
//True Copy//

Sub Assistant Registrar

gm

To

1.The Superintendent of Police,
Superintendent of Police Office,
Dharmapuri Town,
Dharmapuri District - 636701.

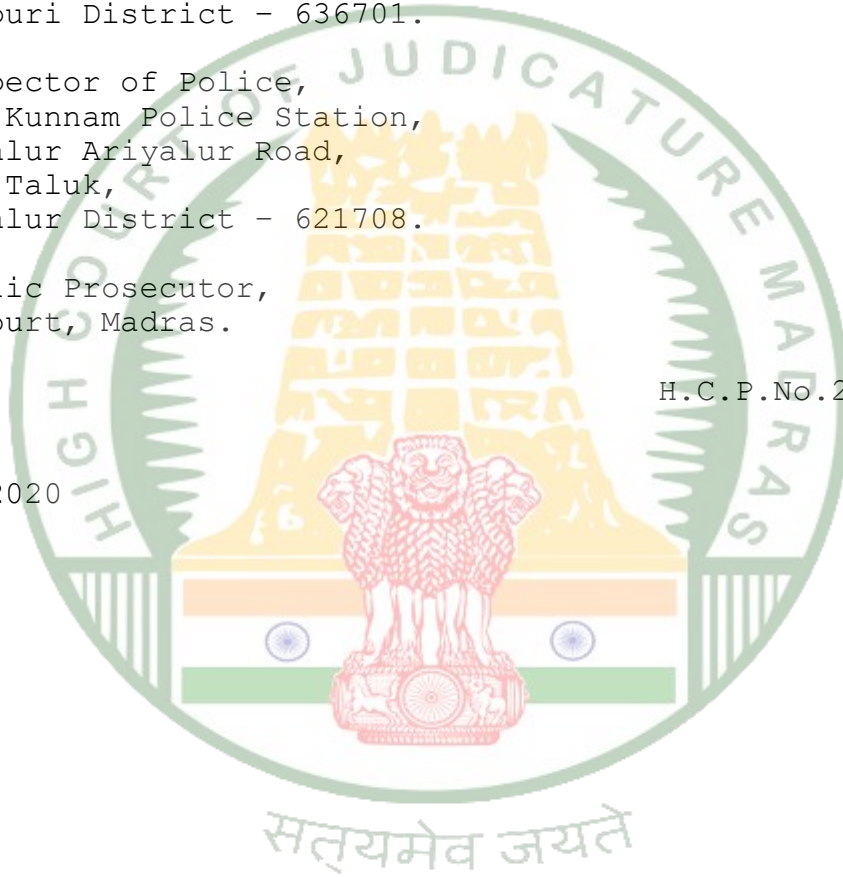
2.The Inspector of Police,
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Perambalur Ariyalur Road,
Kunnam Taluk,
Perambalur District - 621708.

4.The Public Prosecutor,
High Court, Madras.

H.C.P.No.2698 of 2019

rsi(co)
nr 28/02/2020



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