



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

H.C.P. (MD) No.655 of 2020

WEB COPY

Muthukumar

... Petitioner

-vs-

1.The Superintendent of Police
Thirunelveli District
Thirunelveli

2.The Inspector of Police
Courtallam Police Station
Tirunelveli District

3.Arunkumar

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 and 2 to produce the body or detainee of the petitioner's daughter, namely, Geeta Bharathi, aged about 19 before this Court and set her at liberty.

For Petitioner : Mr.S.Premkumar

For Respondents : Mr.K.Dinesh Babu

Additional Public Prosecutor for R1 & R2

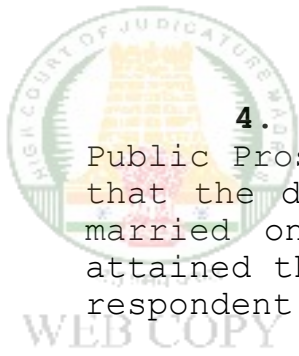
O R D E R

[Order of the Court was made by K.KALYANASUNDARAM, J.]

The petitioner has filed this habeas corpus petition seeking direction to the respondents 1 and 2 to produce his daughter, namely, Geeta Bharathi, aged about 19 years, before this Court and set her at liberty.

2. The petitioner would state that he is a Contractor and his wife is working as Headmistress in a Private School at Tenkasi and they are blessed with one daughter / detainee herein and one son, namely, Jeya Vihej. According to the petitioner, his daughter was studying B.Sc. Physics in Lady Doak College at Madurai and she was found missing from 21.08.2020 and in this regard, a complaint was given to the second respondent and the same was registered in Crime No.301 of 2020 on 26.08.2020. Since no action was taken by the respondent Police, the petitioner is before this Court.

3. When the case was taken up for hearing, the detainee, her parents and the third respondent - Arunkumar appeared before this Court through Video Conferencing from the Office of the Public Prosecutor



4. On instructions, Mr.K.Dinesh Babu, learned Additional Public Prosecutor appearing for the respondents 1 and 2, would state that the detainee has eloped with the third respondent and they got married on 25.08.2020, even though the third respondent has not attained the age of 21 years. He would further state that the third respondent is working in a Call Centre at Coimbatore.

5. The detainee, on enquiry, would state that she is not in the illegal detention of the third respondent and if her parents accept both the detainee and third respondent, she is ready to join with them and in case they do not accept, they want to live on their own. Since the detainee has attained majority and she is not in illegal detention of the third respondent, she is set at liberty.

6. In the light of the above statement of the detainee, the habeas corpus petition is closed.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

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To:

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

2.The Inspector of Police,
Courtallam Police Station,
Tirunelveli District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD) No.655 of 2020
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