



WEB COPY

H.C.P.(MD) No.668 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

H.C.P.(MD) No.668 of 2020

Chinnasamy

... Petitioner

-vs-

1.The Superintendent of Police
Theni District

2.The Sub Inspector of Police
Varusanadu Police Station
Theni District

3.Dinesh

4.Manikandan

5.Poongodi

6.Selvapandiyan

7.Ajith

8.Nagaraj

9.Priya

10.Vinoth

11. A.Ramasamy
Sub Inspector of Police
Varusanadu Police Station
Theni District

... 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 person or body of the petitioner's minor daughter, the detinue, namely Subasri, aged about 17 years, before this Court and handover custody to the petitioner.

For Petitioner : Mr.R.M.Arun Swaminathan

For Respondents : Mr.V.Neelakandan
Additional Public Prosecutor for R1 & R2
Mr.Shankar Ganesh for R3



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 the person or body of his minor daughter, namely Subasri, aged about 17 years, before this Court and hand over her custody to him.

2. When the matter is taken up for hearing, the petitioner and the detinue appeared before this Court through Video Conferencing. It is alleged by the petitioner that when the marriage was performed between the detinue and the third respondent on 31.08.2020, his daughter was a minor and now, she attained majority.

3. On enquiry, it is informed by the detinue that the third respondent is her husband and she is not interested to go with her father / petitioner herein. It is also informed by the detinue that she is now kept in a Home for the past three days.

4. Indisputably, the detinue is a major as on date and she is not interested to go with her father / petitioner herein and wants to live with her husband / third respondent herein.

5. In the light of the above statement of the detinue, the habeas corpus petition is closed as no further orders are necessary.

Sd/-

Assistant Registrar (CS-III)

// 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,
Theni District.
2. The Sub Inspector of Police,
Varusanadu Police Station,
Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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