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H.C.P.(MD) No.790 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM  
and  
THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

H.C.P. (MD) No.790 of 2020

Ponnulingam

... Petitioner/Father of the detenue

-vs-

- 1.The Superintendent of Police,  
Office of the Superintendent of Police,  
Kanyakumari District,  
at Nagercoil.
- 2.The Deputy Superintendent of Police,  
Office of the Deputy Superintendent of Police,  
Kanyakumari District,  
at Nagercoil.
- 3.The Inspector of Police,  
Rajakkamangalam Police Station,  
Rajakkamangalam,  
Kanyakumari District.
- 4.S.M.Vignesh ... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents to produce the body or detenue namely P.Subha, daughter of Ponnulingam, aged about 22 years before this Court and set her at liberty.

For Petitioner : Mr.G.Anto Prince

For Respondents : Mr.K.Dinesh Babu  
1 to 3 Additional Public Prosecutor

For Respondent-4 : Mr.M.Krishna Sridhar



**O R D E R**

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

Heard Mr.G.Anto Prince, learned counsel appearing for the Petitioner and Mr.K.Dinesh Babu, learned Additional Public Prosecutor appearing for the respondents 1 to 3 and Mr.M.Krishna Sridhar, learned counsel appearing for the fourth respondent and perused the materials placed before this Court.

2.This Habeas Corpus Petition has been filed seeking for a direction to the respondents to produce the Petitioner's daughter namely, P.Subha, aged about 22 years before this Court and set her at liberty.

3.It is alleged by the Petitioner that the fourth respondent who has already married twice had given a false promise to the detinue and in view of the said promise, the detinue is missing from 29.6.2020.

4.When the matter is taken up for hearing today, the detinue as well as the fourth respondent appeared before this Court through video conferencing from the Additional Public Prosecutor's Office. On enquiry, the detinue would state that she had married the fourth respondent on 22.6.2020 and both are living together. The fourth respondent would state that he has not married earlier and it is his first marriage with the detinue and that he has not demanded Rs.3 lakhs from the Petitioner as averred in the affidavit filed in support of this Habeas Corpus Petition. It is also stated by both the detinue as well as the fourth respondent that they are going to register their marriage in the Sub-Registrar's Office.

5.In the light of the above statements made by them, this Court is of the opinion that no further adjudication is required in this Habeas Corpus Petition and accordingly, the same stands dismissed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsn



**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.

To:

- 1.The Superintendent of Police,  
Office of the Superintendent of Police,  
Kanyakumari District,  
at Nagercoil.
- 2.The Deputy Superintendent of Police,  
Office of the Deputy Superintendent of Police,  
Kanyakumari District,  
at Nagercoil.
- 3.The Inspector of Police,  
Rajakkamangalam Police Station,  
Rajakkamangalam,  
Kanyakumari District.
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1 CC to M/s.G.ANTO PRINCE, Advocate ( SR-21240[F] dated 05/11/2020 )

ORDER MADE IN  
**H.C.P. (MD) No.790 of 2020**  
**04.11.2020**

ARK(CO)  
TR(11.11.2020) 3P 6C