



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.11.2020

CORAM:

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

H.C.P. (MD) No.810 of 2020

Francis

... Petitioner

-vs-

1.The State represented by
The Superintendent of Police
Kanyakumari District

2.The Inspector of Police
Kaliyakkavilai Police Station
Kanyakumari District

3.Vimalkrishnan

4.C.Manikandan

5.P.Muthuvel

6.N.Sekar

... 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 detainee, namely, Peritha, age 19, daughter of Francis, before this Court and set her at liberty.

For Petitioner : Mr.N.Mohamed Asif
for Mr.N.S.Ramakrishnadass

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, Peritha, aged 19 years, before this Court and set her at liberty.



2. It is the case of the petitioner that the detinue is his second daughter and she left the home on 10.09.2020 to attend special class in her College, but subsequently, she did not return back to home. Hence, he lodged a complaint before the second respondent Police on the same day, but, no proper action was taken by the respondent Police.

3. When the matter is taken up for hearing, the detinue - Peritha appeared before this Court through Video Conferencing from the Office of the Public Prosecutor. On enquiry, she would state that she is aged 20 years and married the third respondent - Vimalkrishnan, on 10.09.2020, in Vinayagar Temple at Sattur and they are living together happily. The detinue would further state that within a week, they will also register their marriage.

4. In the light of the above statement of the detinue, nothing survives for consideration in this habeas corpus petition and the same is therefore dismissed.

Sd/-

Assistant Registrar (AD II)

// True Copy //

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Sub Assistant Registrar(CS)

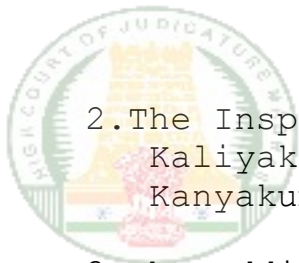
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Note :

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,
Kanyakumari District.



2.The Inspector of Police,
Kaliyakkavilai Police Station,
Kanyakumari District.

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

+1 CC to Mr.N.S.RAMAKRISHNAN DASS, Advocate (SR-21649[F] dated
10/11/2020)

H.C.P. (MD) No.810 of 2020
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VR(CO)
KM (20.11.2020) 3P 5C