



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

H.C.P. (MD) No.1034 of 2020

WEB COPY

Senthilkumar

... Petitioner

-vs-

1.The Superintendent of Police
Madurai District

2.The Inspector of Police
Appanthiruppathi Police Station
Madurai District

3.The Inspector of Police
All Women Police Station
Aruppukottai
Virudhunagar District

4.Vijay

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents No.1 to 3 to produce the person or body of the petitioner's daughter, namely, the detinue by name S.Sivaranjini (female, aged 18 years and 13 days) before this Court and set her at liberty.

For Petitioner : Mr.R.Anand

For Respondents : Mr.K.Dinesh Babu

Additional Public Prosecutor for R1 to 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 to 3 to produce his daughter, namely, S.Sivaranjini, aged 18 years and 13 days, before this Court and set her at liberty.

2. Heard Mr.R.Anand, learned counsel appearing for the petitioner and Mr.K.Dinesh Babu, learned Additional Public Prosecutor, who takes notice for the respondents 1 to 3.

3. When the matter is taken up for hearing, the detinue Sivaranjini and the fourth respondent Vijay appeared before this Court through Video Conferencing from the Office of the Public Prosecutor. On enquiry, the detinue would state that she has already attained majority and she is not interested to go with her



father / petitioner herein. Further, the detinue would state that she is not in illegal detention of the private respondent.

4. It is the submission of the learned counsel appearing for the petitioner that the detinue is having love affair with the fourth respondent, who has admittedly not attained the age of marriage and hence, her custody may be ordered to be handed over to the petitioner herein.

5. Even though the matter was heard and an opportunity was given to both the parties to deliberate the matter, but the detinue is firm in her view not to go with the petitioner.

6. In view of the above position, the habeas corpus petition is dismissed and the detinue is set at liberty.

Sd/-

Assistant Registrar (CSIII)

// 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,
Madurai District.
- 2.The Inspector of Police,
Appanthiruppathi Police Station,
Madurai District.
- 3.The Inspector of Police,
All Women Police Station,
Aruppukottai,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD) No.1034 of 2020
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SJ(CO)

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