



WEB COPY

H.C.P.(MD) No.1116 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

H.C.P. (MD) No.1116 of 2020

Alagarsamy ... Petitioner/Father of the detenu

-vs-

1.The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

2.The Inspector of Police,
Keenikarai Police Station,
Ramanathapuram.

3.Lakshmikanth

4.Gopal

5.Kooriammal

6.Nagendran ... Respondents

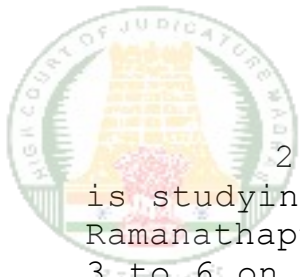
PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 and 2 to produce the Petitioner's daughter Viz Priyanga, daughter of Alagarsamy, aged about 19 years, before this Court and set her at liberty.

For Petitioner : Mr.D.Balamurugapandi
For Respondents : Mr.R.Anandharaj,
1 and 2 Additional Public Prosecutor

O R D E R

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

The prayer in the Habeas Corpus Petition is to direct the respondents 1 and 2 to produce the Petitioner's daughter Priyanga, aged about 19 years before this Court and set her at liberty.



2.The Petitioner would claim that his daughter Priyajga is studying in B.E.Second year at Syed Ammal Engineering College, Ramanathapuram and she was illegally kidnapped by the respondents 3 to 6 on 29.9.2020. Hence he lodged a complaint and the same was registered in Crime No.597 of 2020 under the caption ''Woman missing''.

3.Mr.D.Balamurugapandi, learned counsel for the Petitioner would state that the third respondent herein had lodged a complaint with the Inspector of Police Thiruuttarakosamangai Police Station, in which, a case was registered in Crime No.115 of 2020 and the Police has produced the Petitioner's daughter Priyanga before the learned Judicial Magistrate No.II, Ramanathapuram, where, she has stated that she wanted to go with her parents. Whiles, the private respondents/respondents 3 to 6 herein kidnapped her daughter on 2.11.2020, for which, a criminal complaint was given to the second respondent on 2.11.2020. Even though a case was registered in C.S.R.No.996 of 2020, but, till date, no further action was taken. Hence the present Habeas Corpus petition.

4.Mr.R.Anandharaj, learned Additional Public Prosecutor appearing for the respondents 1 to 3 would submit that the detinue and the third respondent appeared before the second respondent and during enquiry in C.S.R.No.996 of 2020, the detinue gave a letter, dated 16.11.2020 stating that she married the third respondent. The Petitioner also appeared for the enquiry and has also given a statement before the second respondent Police.

5.Considering the fact that the detinue is a major and said to have married the third respondent, nothing survives for consideration in this Habeas Corpus Petition and accordingly, the same stands dismissed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

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,
Ramanathapuram District,
Ramanathapuram.
- 2.The Inspector of Police,
Keenikarai Police Station,
Ramanathapuram.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 cc to Mr.D.Balamurugapandi , Advocate SR.No.26942

ORDER MADE IN
H.C.P. (MD) No.1116 of 2020
22.12.2020

KM (07.01.2021) 3P 5C