



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.07.2021

Coram

The Honourable Mr. Justice P.N.PRAKASH
and
The Honourable Mr. Justice R.PONGIAPPAN

H.C.P.No.1081 of 2021

D.Vinayagam .. Petitioner
Vs.

1.The Superintendent of Police,
Tiruvallur, Tiruvallur District.

2.The Inspector of Police,
T-12 Police Station,
Poonamallee Police Station,
Chennai - 600 056.

3.J.Vinoth .. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the 2nd respondent to produce the body of the detenu viz., V.Monisha, aged about 18 years, daughter of D.Vinayagam, before the Court from the illegal custody of the 3rd respondent and set her at liberty.

For Petitioner : Mr.Madhanagopal Rao
For Mr.P.Vijayakumar
For RR 1 and 2 : Mr.R.Muniyapparaj
Govt. Advocate (Crl.Side)

ORDER

[Order of the Court was made by P.N.PRAKASH, J.]

This habeas corpus petition has been filed seeking to direct the 2nd respondent to produce the body of the detenu viz., V.Monisha, aged about 18 years, daughter of D.Vinayagam, before the Court from the illegal custody of the 3rd respondent and set her at liberty.

2. It is the case of the petitioner that his daughter Monisha, aged about 18 years, went missing from 08.07.2021 and she is the illegal custody of the third respondent and it is his grievance that the police are not taking effective steps to secure his daughter.



3. Mr.Madhanagopal Rao, learned counsel representing Mr.P.Vijayakumar, learned counsel on record for the petitioner, appeared before this Court via video conferencing along with the petitioner and his wife.

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4. The learned Government Advocate (Crl.Side) submitted that on a complaint given by the petitioner, a case in Poonamallee Police Station Crime No.1191 of 2021 has been registered on 09.07.2021 for 'woman missing' and the police have secured the detainee Monisha.

5. Today, Mr.Damodaran, Sub-Inspector of Police, T-12, Poonamallee Police Station, produced the detainee Monisha and Vinoth, third respondent herein, before this Court.

6. Monisha interacted with her parents via video conferencing. Her parents stated that Monisha should not discontinue her studies as that would affect her adversely in the future, and so, she may be sent to their custody and they will get her married to the third respondent after she completes her studies, to which proposal, Monisha was not agreeable. Monisha stated that she would go with Vinoth, third respondent, with whom, she got married on 11.07.2021 at Puducherry.

7. When enquired by us, Monisha and Vinoth stated that they are presently residing at Door No.6/299, Venkateshwara 3rd Street, Kundrathur - 600 069 and their mobile numbers are 8939011596 and 8939440008, respectively.

8. Since Monisha is not a minor, we have no other option, but, to close this habeas corpus petition giving her liberty to chalk out her own life.

With the above observation, this habeas corpus petition stands closed. The police may file a closure report in Poonamallee Police Station Crime No.1191 of 2021 before the jurisdictional Magistrate.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

nsd

To

1.The Superintendent of Police,
Tiruvallur, Tiruvallur District.

2.The Inspector of Police,
T-12 Police Station,
Poonamallee Police Station, Chennai - 600 056.



3.The Public Prosecutor,
Madras High Court,
Chennai - 600 104.

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RP (CO)
B.VC (05.08.2021)

H.C.P.No.1081 of 2021