

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2021
CORAM

THE HON'BLE MR. JUSTICE P.N.PRAKASH
AND
THE HON'BLE MR. JUSTICE V.SIVAGNANAM

H.C.P. NO. 2036 OF 2020

R.Pichai

..Petitioner

Vs.

1.State rep. by
The Superintendent of Police,
Thiruvannamalai,
Thiruvannamalai District.

2.State rep. by
The Deputy Superintendent of Police,
Cheyyar, Thiruvannamalai District.

3.State rep. by
The Inspector of Police,
Cheyyar Police Station,
Thiruvannamalai District.
(Crime No.3127/2020)

4.Saibul Kaliba

..Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of Habeas Corpus to direct the third respondent police to produce the petitioner's daughter namely Ms.Akshaya, daughter of Mr.Pichai, aged about 18 years before this Court from the custody of the fourth respondent and set her at liberty.

For Petitioner : Mr.V.R.Appaswamee

For Respondents : Mr.R.Prathap Kumar,

Addl. Public Prosecutor for R1 to R3

R4 - No appearance

ORDER

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

Seeking a direction to the third respondent police to produce the petitioner's daughter Akshaya, aged about 18 years before this Court from the custody of the fourth respondent and

to set her at liberty, the present habeas corpus petition has been filed.

2.It is the case of the petitioner that his daughter Akshaya, aged about 18 years, has gone missing and that the police have not taken any action to secure her despite the registration of the case in Crime No.3127 of 2020 for woman missing.

3.On instructions, the learned Additional Public Prosecutor submitted that the alleged detainee has eloped with the fourth respondent as she was in love with him.

4.Recording the same, this habeas corpus petition is closed with a direction to the third respondent to proceed with the investigation in Crime No.3127 of 2020 and keep the petitioner informed of the developments, if any. If the detainee is secured, she may be produced before the jurisdictional Magistrate under due intimation to the petitioner. Since it is a inter-religious marriage, the police shall afford sufficient protection to the couple, when they are secured.

Sd/-

Assistant Registrar(CS-IX)

// True Copy//

Sub Assistant Registrar

mmi/nsd

To

- 1.The Superintendent of Police,
Thiruvannamalai,
Thiruvannamalai District.
- 2.The Deputy Superintendent of Police,
Cheyyar, Thiruvannamalai District.
- 3.The Inspector of Police,
Cheyyar Police Station,
Thiruvannamalai District.
- 4.The Public Prosecutor,
High Court, Madras.

+1cc to M/s.V.R.Appaswamee, Advocate, SR.No.275

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JP(CO)
KKV/05/02/2021