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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.10.2021

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH
AND
THE HONOURABLE MS.JUSTICE R.N.MANJULA

H.C.P.NO.1632 OF 2021

M.Rajendiran
S/o.Murugesan

.. Petitioner

Vs.

1. The Commissioner of Police,
Greater Chennai,
Veppery, Chennai - 600 007.

2. The Inspector of Police,
C-2 Elephant Gate Police Station,
Walltax Road,
Chennai - 600 079.

3. Karthik
S/o.Mahalingam

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the respondents 1 and 2 to produce the petitioner's daughter viz., Sharmila, who is aged about 19 years, before this Court from the illegal custody of third respondent and set her at liberty.

For Petitioner : Mr.N.Palanisamy

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

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

This petition has been filed seeking a direction to the respondents 1 and 2 to produce the petitioner's daughter viz., Sharmila, who is aged about 19 years, before this Court from the



illegal custody of third respondent and set her at liberty.

2. Today, Mr.B.Kumar, Sub-Inspector of Police, C2 Elephant Gate Police Station, is present.

3. It is the case of the petitioner that his daughter Sharmila, aged about 19 years, went missing from 09.09.2021 and that the police are not taking effective steps to secure her.

4. On instructions, learned Additional Public Prosecutor submitted that Sharmila was in love with the third respondent and had eloped with him.

5. Sharmila came via whatsapp video call in the mobile phone of the Sub-Inspector of Police and stated that she has got married to the third respondent on 25.09.2021 and is living with him in Va.Keeranur Village, Kunnam Taluk, Perambalur District and that she is not willing to return to her parental home. She further stated that her date of birth is 16.11.2002. She also spoke to Mr.Rangasamy, a close relative of her father, who was present in the Court and told him that she is not willing to return to her parental home.

6. Since Sharmila is a major and that she is not in the illegal custody of anyone, no Writ of Habeas Corpus can be issued.

Accordingly, this Habeas Corpus Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gm

To

1. The Commissioner of Police,
Greater Chennai,
Veppery, Chennai - 600 007.
2. The Inspector of Police,
C-2 Elephant Gate Police Station,
Walltax Road,
Chennai - 600 079.



3. The Public Prosecutor,
High Court, Madras.

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+1cc to Mr.N.Palanisamy, Advocate, S.R.No.53027

H.C.P.No.1632 of 2021

BS (CO)
PM/29/10/2021