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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2021

Coram

The Honourable Mr. Justice P.N.PRAKASH
and
The Honourable Mrs. Justice R. HEMALATHA

H.C.P.No.1845 of 2021

R. Perumal .. Petitioner

Vs.

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

2. The Inspector of Police,
Vaniyambadi Taluk Police Station,
Vaniyambadi, Thirupathur District.

3. Rahul

4. Mohan @Mohandoss

5. Sumathi

6. Pragasam .. 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 detainee namely Janani, daughter of Perumal, aged about 18 years before this Hon'ble Court from the illegal custody of the 3 to 6 respondents and set her at liberty.

For Petitioner : Mr.G. Vinodh Kumar

For RR 1 and 2 : Mr.R.Muniyapparaj,
Addl. Public Prosecutor

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 herein to produce the detainee, namely



Janani, daughter of Perumal (petitioner herein), aged about 18 years, before this Court and set her at liberty.

2. It is the case of the petitioner that his daughter Janani, aged about 18 years, went to college on 04.10.2021 and did not return and that the police are not taking effective steps to secure her.

3. On instructions, the learned Additional Public Prosecutor submitted that, on a complaint given by the petitioner, a case in Vaniyambadi Taluk Police Station Crime No.565 of 2021 has been registered on 05.10.2021 for the offences under Sections 363, 294(b) and 506(i) IPC against one Rahul (third respondent herein) and others, for the alleged abduction of the petitioner's daughter Janani. He also submitted that, during the course of investigation, it came to light that, Janani and the third respondent were in love with each other and since both of them belong to different communities, the parents of Janani were not agreeable for their marriage.

4. Learned Additional Public Prosecutor submitted that Janani and the third respondent surrendered before the Vellore District Legal Service Authority and sought police protection on 07.10.2021 contending that they have got married and that their life is under threat. The Legal Service Authority, Vellore, conducted an enquiry and have directed the Inspector of Police, All Women Police Station, Vaniyambadi, to afford sufficient protection to the couple.

5. In such view of the matter, it cannot be stated that Janani is in illegal custody of anyone, for the issuance of a Writ of Habeas Corpus. Hence, this habeas corpus petition stands closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

bga

To

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



2. The Inspector of Police,
Vaniyambadi Taluk Police Station,
Vaniyambadi, Thirupathur District.

3. The Public Prosecutor,
High Court, Madras.

Copy to:

1. The District Legal Services,
Vellore.
2. The Inspector of Police,
All Women Police Station,
Vaniyambadi.

+1cc to Mr.G.Vinodh Kumar, Advocate, S.R.No.59120

H.C.P.No.1845 of 2021

PM(CO)
SU(30/11/2021)