



WEB COPY

H.C.P.(MD) No.127 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

H.C.P. (MD) No.127 of 2021

P.Subramanian

... Petitioner/Father
of the detenu

-vs-

1.The Superintendent of Police
Tenkasi District
Tenkasi

2.The Deputy Superintendent of Police
Alangulam, Tenkasi District

3.The Inspector of Police
Surandai Police Station
Tenkasi District

4.Arunachalam @ Alagu

5.Manikandan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 to 3 to secure the detenu and produce the body of the petitioner's daughter namely Kousalya, daughter of P.Subramanian, aged 19 years, before this Court, illegally detained by the fourth and fifth respondent and set her at liberty forthwith.

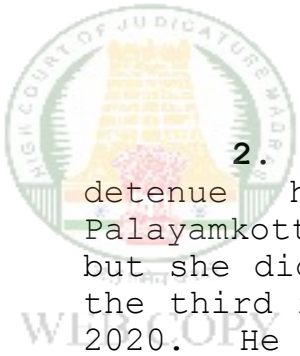
For Petitioner : Mr.Sankar.M.

For Respondents : Mr.K.Dinesh Babu
Additional Public Prosecutor
for R1 to R3

O R D E R

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

The petitioner has filed this habeas corpus petition seeking direction to the respondents 1 to 3 to secure his daughter, namely, Kousalya, aged 19 years, from the illegal detention of the respondents 4 and 5 and produce her before this Court and set her at liberty.



2. The petitioner would claim that his daughter Kousalya, detinue herein, is studying B.C.A., in Saratha College, Palayamkottai. On 06.12.2020, she went along with her classmates, but she did not return to house. Hence, he lodged a complaint with the third respondent and the same was registered in C.S.R.No.587 of 2020. He would further state that later on, he came to know that the fourth respondent abducted his daughter and she is in illegal detention of the respondents 4 and 5.

3. When the matter is taken up for hearing, the petitioner, detinue and the fourth respondent appeared before this Court through Video Conferencing from the Office of the Public Prosecutor. On enquiry, the detinue would state that she is now aged about 20 years and she wants to go with the fourth respondent, who is her schoolmate and refused to go with her father / petitioner herein.

4. In the light of the above statement of the detinue, we find no merit in this habeas corpus petition and the same is, therefore, dismissed.

Sd/-

Assistant Registrar (Writs)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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.

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To:

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

2.The Deputy Superintendent of Police,
Alangulam, Tenkasi District.

<https://hcservices.ecourts.gov.in/hcservices/>



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3.The Inspector of Police,
Surandai Police Station,
Tenkasi District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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VB (23.02.2021) 3P 5C