



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.02.2021

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE G.ILANGO VAN**

H.C.P. (MD) No.155 of 2021

Karthikeyan

... Petitioner

-vs-

1.The State Represented by
The Superintendent of Police,
Kanyakumari District.

2.The Inspector of Police,
Arumanai Police Station,
Kanyakumari District.

3.Jenisha
4.Dhanaraj
5.Susheela

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 and 2 to produce the person or body of the detainee, namely, Anand, aged 20, son of Karthikeyan before this Court and set him at liberty.

For Petitioner : Mr.R.Joseph Thankaraj
For Respondents : Mr.K.Dinesh Babu
Additional Public Prosecutor (for R1 & R2)

Mr.Ananth.C.Rajesh (for R3 to R5)

O R D E R

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

The petitioner has come forward with this habeas corpus petition seeking a direction to the respondents 1 and 2 to produce his son, namely, Anand, aged about 20 years before this Court and set her at liberty.



2. According to the petitioner, he is having two sons and one daughter. The detenu is his elder son and he was studying engineer course at Marthandam Engineering College, Marthandam. The third respondent is the friend of the detenu. It is alleged that the respondents 3 to 5 have misused the friendship and forcing him to marry the third respondent and he is found missing from 30.10.2020.

3. Mr. K. Dinesh Babu, learned counsel for the respondents 1 and 2 as well as the Mr. Anand C. Rajesh, learned counsel for the respondents 3 to 5 would state that the detenu herein, who is the son of the petitioner, fell in love with the third respondent and by giving false promise, he was having physical relationship with the third respondent and thereby, she became pregnant and she also delivered a girl child on 16.11.2020. It is further stated that on 28.09.2020, the parties have agreed for marriage between the detenu and the third respondent to be performed on 24.02.2020, but in the meantime, he is hiding himself to avoid marriage.

4. The learned Additional Public Prosecutor would further state that based on the complaint of the fourth respondent, the second respondent registered a case in Crime No. 67 of 2021 and the investigation is going on.

5. In view of the above fact, we find no merit in this habeas corpus petition and hence, the same is dismissed.

Sd/-

Assistant Registrar(RTI)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

skn

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.



To
The Superintendent of Police,
Kanyakumari District.

2.The Inspector of Police,
Arumanai Police Station,
Kanyakumari District.

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

+1 CC to M/s.ANANTH.C.RAJESH, Advocate (SR-6609[F] dated
23/02/2021)

H.C.P. (MD) No.155 of 2021
22.02.2021

KUN(CO)
TR(08.03.2021) 3P 5C