



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P. (MD) No.271 of 2021

Harikumar

... Petitioner/Father of the detenu

-vs-

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

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

3.Jayan

4.Sheeba

5.Pushshothaman

... 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 detenu namely Gokula Krishnan, aged 19, son of Harikumar, before this Court and set him at liberty.

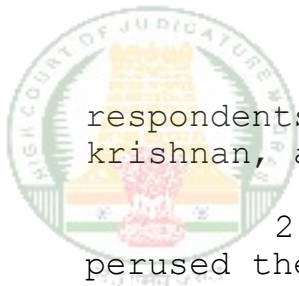
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|                            |                                                      |
|----------------------------|------------------------------------------------------|
| For Petitioner             | :Mr.N.S.Ramakrishna Dass                             |
| For Respondents<br>1 and 2 | :Mr.K.K.Ramakrishnan<br>Additional Public Prosecutor |
| For Respondents<br>3 to 5  | :Mr.C.Kishore                                        |

**O R D E R**

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

<https://hcservices.ecourts.gov.in/hcservices> The prayer in the Habeas Corpus Petition is to direct the



respondents 1 and 2 to produce the Petitioner's son namely, Gokula krishnan, aged 19 years, before this Court and set him at liberty.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

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3.The Petitioner would state that he is having only one son, the detenu herein and he is studying in second year Engineering in Rohini College of Engineering, Anjugramam in Kanyakumari District. It is alleged that the respondents 3 to 5 have kidnapped the detenu on 12.2.2021 at 6.30 p.m.. Hence he lodged a complaint with the second respondent on 13.2.2021, but no action was taken to secure the detenu and hence the present Habeas Corpus Petition.

4.When the matter is taken up for hearing today, the Petitioner as well as the detenu appeared before this Court through video-conferencing from the Public Prosecutor's Office. On enquiry, the detenu would state that he is a major and he is not willing to go with his father. He also further stated that he married the daughter of the third respondent and both of them are working at Chennai.

5.In the light of the above statement made by the detenu, we find no merit in the Habeas Corpus Petition and accordingly, the same stands dismissed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsn

**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:

- 1.The Superintendent of Police,  
Kanyakumari District.
- 2.The Inspector of Police,  
Kulasekaram Police Station,  
Kanyakumari District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

ORDER MADE IN

**H.C.P. (MD) No.271 of 2021**

**21.04.2021**

CN(16.06.2021) 3P 4C