



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.06.2021

CORAM:

WEB COPY

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

H.C.P. (MD) No.829 of 2021

M.Vellaiyammal ... Petitioner/Mother-in-law of
detenue

-vs-

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

2.The Inspector of Police,
Ambadurai Police Station,
Dindigul District.

3.The Inspector of Police,
Town West Police Station,
Dindigul.

4.Senthil Kumar ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus, directing the second respondent to produce the corpus or body of the detenue, namely, Gowsalya, aged about 22 years, wife of Nagapandi, before this Court and set her at liberty.

For Petitioner: Mr.P.Manikandan

For R1 to R3 : Mr.S.Ravi

Standing Counsel for Government

O R D E R

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

The prayer in the habeas corpus petition is to direct the second respondent to produce the detenue, namely, Gowsalya, aged about 22 years, before this Court and set her at liberty.

2.The petitioner claims that her son Nagapandi is working as a driver in S.S.M.Mills private limited and he was married the detenue Gowsalya on 17.05.2021 at Samayapuram Mariyamman Temple, Y.M.R.Patti, Dindigul. She further stated that the petitioner's



son and the detenu had love affair prior to the marriage.

3. The grievance of the petitioner is that both are belong to different community and the fourth respondent threatened the petitioner's family and also on 20.05.2021 the detenu forcibly taken from the house of the petitioner. In this regard, a complaint has been lodged on 22.02.2021, but no action was taken to trace out the detenu and hence, the present petition has been filed.

4. Heard Mr.P.Manikandan, learned counsel appearing for the petitioner and Mr.S.Ravi, learned Standing Counsel appearing for the respondents 1 to 3 and perused the materials available on record.

5. When the matter is taken up for hearing today, the detenu Gowsalya appeared before this Court through Video Conferencing from the Public Prosecutor Office. Though she has admitted her marriage with Nagapandi, according to the detenu, on her own volition now she is staying with her parents and that she is not being illegally detained by any one.

6. In view of the above, we find no merit in the habeas corpus petition and hence, the same is dismissed. Liberty is given to the parties to work out their remedy before the competent civil forum.

Sd/-

Assistant Registrar (CSII)

// 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,
Dindigul District,
Dindigul.
- 2.The Inspector of Police,
Ambadurai Police Station,
Dindigul District.
- 3.The Inspector of Police,
Town West Police Station,
Dindigul.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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GS (18.06.2021) 3P 5C