



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P. (MD) No.976 of 2021

Subbulakshmi

... Petitioner

-vs-

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

2. The Inspector of Police,
Moondradaipu Police Station,
Tirunelveli District.

3.Rajeshselvam

... 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 body or person of the petitioner's daughter the detenu Kalidevi Sneha, D/o.Naganathan, aged about 17 years, now illegally detained by the third respondent before this Court and hand over custody to the petitioner.

For Petitioner : Mr.P.Rajkumar

For R1 & R2 : Mr.S.Ravi

Standing Counsel for Tamil Nadu Government

For R3 : Mr.Sasidharan Tamilkani

O R D E R

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

The Habeas Corpus Petition has been filed by the mother of the detenu for a direction to the respondents 1 and 2 to produce her daughter viz., Kalidevi Sneha, D/o.Naganathan, aged about 17 years, before this Court and hand over the custody to the petitioner.

2. The detenu was produced by the second respondent. On enquiry, she would state that since her mother, the petitioner herein has made arrangements to marry her to an elderly man, she eloped with the third respondent, who is her lover. She further stated that she wanted to pursue her studies. Even now she has expressed that she is not willing to go with her parents.



3. Mr.S.Ravi, learned Standing counsel appearing for the State has also expressed that the detenu is having an ambition to pursue her studies and therefore she may be referred to Kulanthaigal Saranalayam, Tirunelveli Junction.

4. In the light of the above, the respondent police is directed to refer the detenu to Kulanthaigal Saranalayam, Tirunelveli Junction. The Kulanthaigal Saranalayam shall make arrangements for the detenu to pursue her studies at any of the Schools in Tirunelveli.

5. With the above direction, this habeas corpus petition is disposed of.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

akv

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,
Tirunelveli District, Tirunelveli.
2. The Inspector of Police,
Moondradaipu Police Station,
Tirunelveli District.
3. The Standing Counsel for Tamil Nadu Government,
Madurai Bench of Madras High Court, Madurai.
4. The Kulanthaigal Saranalayam,
Tirunelveli Junction, Tirunelveli.
5. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.P.RAJKUMAR, Advocate (SR-24614[F] dated 30/07/2021)

+1 CC to M/s.S.T.SASIDHARAN TAMILKANI, Advocate (SR-24837[F] dated 30/07/2021)

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RC (30.07.2021) 2P-8C

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