



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2021

CORAM:

WEB COPY

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

H.C.P. (MD) No.813 of 2020

C.Pandi ... Petitioner/Father of the detenue

-vs-

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

2.The Inspector of Police,
Saptur Police Station,
Madurai District.

3.Kanniappan

4.K.Idayakkani

... 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 herein to produce the body or person of the petitioner's minor daughter namely, Punitha D/o Pandi, aged 17 years from the custody of the respondents No.3 and 4 before this Court and set her under his custody.

For Petitioner: Mr.PR.Boomee Rajan

For Respondents: Mr.S.Ravi

Standing Counsel for Tamil Nadu Government
(for R1 and R2)

Mr.Malaikani (for R4)

O R D E R

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

The habeas corpus petition has been filed for a direction to the respondents 1 and 2 to produce the petitioner's minor daughter, by name, Punitha, aged 17 years before this Court from the custody of the respondents 3 and 4 and send her custody to the petitioner.



2.The petitioner is the father of the detinue. It is his case that on 29.04.2019, the detinue had completed her school education. The third and fourth respondents are his neighbours. The third respondent is the father of the fourth respondent.

WEB COPY

3.It is alleged that the fourth respondent kidnapped the detinue on 23.08.2020 at 06.30 p.m. Hence, the petitioner lodged a complaint with the second respondent. Though a case was registered, no action was taken to secure the detinue. Hence, the present petition has been filed.

4.The detinue was produced by the second respondent and she appeared before this Court through video conferencing from the Public Prosecutor's Office. On enquiry, the detinue would state that the fourth respondent is her own uncle's son and they were having love affair. Since her father, the petitioner herein made marriage arrangement with some other boy, she had gone along with the fourth respondent and they got married on 24.08.2020. She has further stated that now she is having a child aged about 50 days.

5.Mr.S.Ravi, learned Standing Counsel appearing for the respondents 1 and 2 would state that the detinue has become a major and she wanted to live with the fourth respondent.

6.Mr.Malaikani, learned counsel appearing for the fourth respondent would state that the detinue and the fourth respondent is living happily.

7.In the light of the above statement, we are of the opinion that no further adjudication is required in this habeas corpus petition and hence, the same is closed.

Sd/-

Assistant Registrar(CS-I)

// 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

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

2.The Inspector of Police,
Saptur Police Station,
Madurai District.

3.The Standing Counsel for Tamil Nadu Government,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD) No.813 of 2020

09.07.2021

MJ(CO)

TR(20.07.2021) 3P 4C