



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :08.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

and

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

H.C.P. (MD) No.1517 of 2021

WEB COPY

M.Madasamy

... Petitioner/ Father of the detenu

-vs-

1. The Superintendant of Police,
O/o. the Superintendent of Police,
Tenkasi District.

2. The Inspector of Police,
Courtalam Police Station,
Tenkasi District.

3. Mrs.Kanagammal

4. Mr.Arunkumar ... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Habeas Corpus, directing the respondent Nos.1 and 2 to produce the person or body of the petitioner's daughter namely M.Pushpakala, aged about 19 years, D/o. M.Madasamy and set at her liberty.

For Petitioner : Mr.I.Pinaygash

For R1 & R2 : Mr.S.Ravi

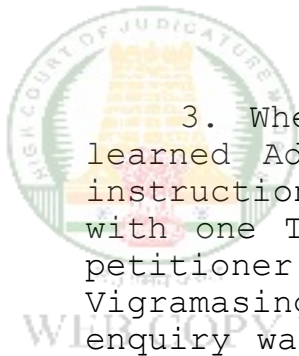
Additional Public Prosecutor

O R D E R

(Order of the Court was made by V.BHARATHIDASAN, J.)

Alleging that the petitioner's daughter by name M.Pushpakala, aged about 19 years, was found missing from 11.09.2021 and suspecting that the respondents 3 and 4 are illegally detained her for the purpose of getting marriage to one Thangamari, the petitioner has lodged a complaint before the second respondent police. But, so far no action has been taken by the second respondent police to secure the detenu. Hence, the present Habeas Corpus Petition has been filed.

2. Heard Mr.I.Pinaygash, learned counsel appearing for the petitioner and Mr.S.Ravi, learned Additional Public Prosecutor appearing for the first and second respondents.



3. When the matter is taken up for hearing today, Mr.S.Ravi, learned Additional Public Prosecutor appearing for the State, on instructions would submit that the detenu is a major, she has eloped with one Thangamari and now she is staying with him. Earlier the petitioner has given a complaint before the Inspector of Police, Vigramasingapuram Police Station and based on the complaint, an enquiry was conducted, where the detenu given a statement that she wants to live with Thangamari. Suppressing all these facts, the present Habeas Corpus Petition has been filed.

4. The materials available on record shows that the detenu is not illegally detained by anybody. Hence, the Habeas Corpus Petition is dismissed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

akv/ebsi

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 Superintendant of Police,
O/o. the Superintendent of Police,
Tenkasi District.
2. The Inspector of Police,
Courtalam Police Station,
Tenkasi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD) No.1517 of 2021
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SJ(CO)

KB(12.11.2021) 2P 4C