



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.01.2021

CORAM:

WEB COPY

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

H.C.P. (MD) No.1210 of 2020

C.Vellaisamy ... Petitioner

-VS-

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

2.The Inspector of Police,
Puthanatham Police Station,
Trichy District.

3.Prakash
4.Krishnaveni ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondent Nos.1 and 2 to produce the detenu, the petitioner's daughter namely, Malathi aged about 21 years, D/o Vellaisamy before this Court and set her at liberty.

For Petitioner : Mr.AN.Ramanathan

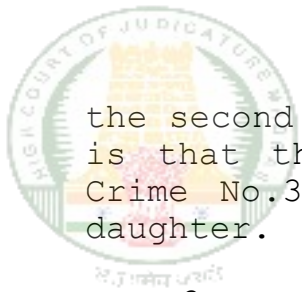
For Respondents : Mr.R.Anandharaj
(1 & 2) Additional Public Prosecutor

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 respondents 1 and 2 to produce the petitioner's daughter, namely, Malathi, aged about 21 years before this Court and set her at liberty.

2.It is the case of the petitioner that he is having two children. Son's name is Elangovan and daughter's name is Malathi, who is the detenu. It is his further case that the detenu has completed B.Com from the Indhira Gandhi College, Trichy and from 10.02.2020, she is missing. In this regard, he gave a complaint to



the second respondent on 11.12.2020. The grievance of the petitioner is that though the second respondent registered his complaint in Crime No.395/2020, no appropriate action was taken to secure his daughter.

3.Heard AN.Ramanathan, learned counsel for the petitioner and Mr.R.Anandharaj, learned Additional Public Prosecutor appearing for the State.

4.It is represented by the learned Additional Public Prosecutor that the detainee is a major and she along with the third respondent, Prakash appeared before the Melur Police Station on 17.12.2020 and sought police protection. During the enquiry, both the detainee and the third respondent gave statements that they fell in love each other, but the petitioner's family did not accept the same. Hence, they married in Sivan Temple at Melur on 11.12.2020. The detainee has also stated that she is not illegally detained by the third respondent and she wanted to go along with the third respondent. The said statements of the detainee as well as the third respondent have been produced for perusal of this Court.

5.In the light of the above fact, we find no merit in this habeas corpus petition. Hence, the same is dismissed.

Sd/-

Assistant Registrar(Records)

// 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,
Trichy District,
Trichy.



2.The Inspector of Police,
Puthanatham Police Station,
Trichy District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD) No.1210 of 2020

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