



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
and
THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
H.C.P. (MD) No.1649 of 2021

Selvi ... Petitioner
-vs-

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

2.The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.

3.Murugesan ... Respondents

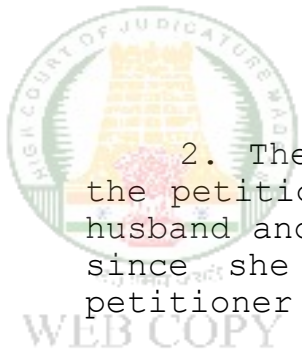
PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus, directing the respondents to produce the body or person of the petitioner's daughter, namely, Arthi, female, aged about 23 years, D/o.Muthu before this Court and set her at liberty.

For Petitioner : Mr.B.Arun
For R1 & R2 : Mr.S.Ravi
Additional Public Prosecutor

O R D E R

S.VAIDYANATHAN, J.
and
DR.G.JAYACHANDRAN, J.

This Habeas Corpus Petition has been filed by the mother of the detenu, namely, Arthi (DOB 21.07.1997) alleging that her daughter did not return to home since September 2020 and when she gave a complaint to the police, the detenu was brought to the police station and on enquiry, she stated that she married one Murugesan, S/o.Ravi of the same village and she is not inclined to go with the petitioner (mother), but after some time, the petitioner could not see her daughter anywhere, near the house of the third respondent and when she enquired the third respondent, there was no response. Since apprehending threat to the life of her daughter, the present Habeas Corpus Petition has been filed.



2. The second respondent Police has contacted the daughter of the petitioner herein and found that she is happily living with her husband and does not want to disclose her present place of residence since she apprehends threat to her life at the hands of the petitioner herein.

3. The learned Additional Public Prosecutor arranged for Video Conferencing call with the alleged detenu Arthi and she has clearly expressed her intention that she does not want to disclose the place of residence and she is happily living with her husband and the petitioner herein wants to disturb the peaceful marital life by filing this frivolous Habeas Corpus Petition in the Court.

4. Learned counsel for the petitioner also present during the conversation.

5. This Court when enquired the detenu whether she is interested to talk with her mother, who is waiting outside the Court hall, she refused.

6. Taking note of the fact that the daughter of the petitioner married the third respondent on 29.09.2020 and living happily and the averments made in the affidavit filed in support of the Habeas Corpus Petition proved to be false, this habeas corpus petition is dismissed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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,
Sivagangai District,
Sivagangai.



2.The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.

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

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