



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
and
THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

H.C.P. (MD) No.1720 of 2021

K.Senthilkumar

... Petitioner /
Father of the Detenu

Vs.

1.The Superintendent of Police,
Ramanathapuram Distric,
Ramanathapuram.

2.The Inspector of Police,
R.S.Manalam Police Station,
Ramanathapuram District.

3.Santhos

... Respondents

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the 2nd respondent to produce the body or person of petitioner's daughter, namely, Divya Banu, daughter of Senthilkumar, aged about 18 years before this Court and set her at liberty.

For Petitioner : Mr.A.Jeyaram

For R1 and R2 : Mr.S.Ravi
Additional Public Prosecutor

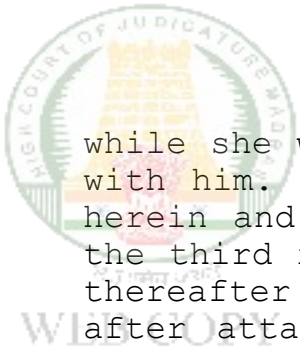
O R D E R

S.VAIDYANATHAN, J.

And

DR.G.JAYACHANDRAN, J.

The father of the detenu has filed this Habeas Corpus Petition alleging that the third respondent has abducted the detenu, namely, Divya Banu, and keeping her in illegal custody, whereas the fact reveals that the daughter of the petitioner, even,



while she was minor had affair with the third respondent and eloped with him. She was secured on the complaint given by the petitioner herein and the case in Crime No.195 of 2021 was registered against the third respondent for the offence under Section 366-A of IPC and thereafter altered into Section 5(1) and 6 of POCSO Act. While so, after attaining majority, the petitioner's daughter, again on her own, gone with the third respondent and married him.

2.Today, both the third respondent and the daughter of the petitioner present through video conference.

3.On enquiry, the daughter of the petitioner has specifically and categorically states that she has gone with the third respondent on her own, married him and living happily.

4.Recording the same, this Habeas Corpus Petition is dismissed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PJL

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,
Ramanathapuram Distric,
Ramanathapuram.

2.The Inspector of Police,
R.S.Manalam Police Station,
Ramanathapuram District.

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

+1 CC to M/s.A.JEYARAM, Advocate (SR-37369[F] dated 06/12/2021)

+1 CC to M/s.AL.KANNAN, Advocate (SR-37643[F] dated 07/12/2021)

H.C.P. (MD) No.1720 of 2021

03.12.2021

sj(CO)

<https://hcservices.courts.gov.in/hcservices/> TP (14-12-2021) 3P 6C