



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.12.2021

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
and
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

H.C.P. (MD) .No.1810 of 2021

Gunasekaran

... Petitioner/Father of the Detenu

Vs.

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

2.The State rep by
The Inspector of Police,
Ammamet Police Station,
Thanjavur District.

3.Sarkunam ... Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Habeas Corpus, directing the respondents 1 and 2 herein to produce the body or person of the detenu of petitioner's daughter namely Devipriya, D/o.Gunasekaran, aged about 18 years, who is the daughter of the petitioner before this Court and set her at liberty.

For Petitioner : Mr.S.T.Sasidharan Tamilkani
For R1 & R2 :Mr.S.Ravi
Additional Public Prosecutor

ORDER

(Order of the Court was made by P.VELMURUGAN, J.,)

This petition is filed to direct the first and second respondents to produce the body or person of the detenu namely, Devipriya, D/o.Gunasekaran, aged about 18 years, who is the daughter of the petitioner before this Court.

2.Alleging that the petitioner's daughter by name Devipriya, aged about 18 years, is found missing from 15.11.2021, the petitioner has made a complaint before the second respondent police. But so far no action has been taken to secure the detenu. Hence,



the present Habeas Corpus Petition.

3. When the matter is taken up for hearing today, Mr.S.Ravi, learned Standing Counsel appearing for the State, on instructions, would submit that the detenu had eloped with the third respondent and she is a major. It is further stated that she got married with the third respondent. The detenu appeared before this Court today and on enquiry, she would state that on her own volition, she left the parental home and married the third respondent and living with him and she also wants to go with the third respondent.

4. Considering the fact that the detenu being the major and she married the third respondent, we find that the detenu is not illegally detained by the third respondent as alleged by the petitioner. Hence, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (A.D.II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Ns

To

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

2. The Inspector of Police,
Ammamet Police Station,
Thanjavur District.

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

+1 CC to M/s.S.T.SASIDHARAN TAMILKANI, Advocate (SR-38438[F] dated 13/12/2021)

H.C.P. (MD) .No.1810 of 2021

13.12.2021

RD(27.12.2021) 2P 5C