



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY

H.C.P. (MD) No.2007 of 2021

Sathayi ... Petitioner / Mother of the detenu
Vs.

1.The Superintendent of Police,
Ramanathapuram District.

2.The Sub Inspector of Police,
S.P.Pattinam Police Station,
Ramanathapuram District.

3.Selvakumar ... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, directing the first and second respondents to produce the body or person of petitioner's daughter Karthika, aged about 25 years, before this Court and set her at liberty from the illegal custody of the third respondent.

For Petitioner : Mr.G.Bhagavath Singh

For R-1 and R-2 : Mr.E.Antony Sahaya Prabhakar
Additional Public Prosecutor

O R D E R

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

Heard Mr.G.Bhagavath Singh, learned counsel for the petitioner and Mr.E.Antony Sahaya Prabhakar, learned Additional Public Prosecutor who appears on behalf of the respondents.

2. The petitioner is the mother of the detenu, who is aged 25 years. The young lady had taken a decision to get married with the third respondent and as a matter of fact, they had also got married and had also appeared before the Rajamangalam Police Station at Chennai.



3.The learned Additional Public Prosecutor had also forwarded a signed letter of the young lady expressing her intention to marry and also the fact that she had actually married the third respondent. It is also stated that the said marriage had also been registered.

4.Therefore, the legality of the marriage cannot be either suspected or examined by this Court. It is only be advisable that the petitioner, has a change of mind and accepts her daughter and her newly married husband as her own family members and moves forward. The Habeas Corpus Petition does not lie.

5. Accordingly, the Habeas Corpus Petition is dismissed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

rm/nsr

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 District.
- 2.The Sub Inspector of Police,
S.P.Pattinam Police Station,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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_RD(5.01.2022) 2P 4C