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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.03.2022

CORAM

THE HONOURABLE MR. JUSTICE P.N.PRAKASH
AND
THE HONOURABLE MR. JUSTICE A.A.NAKKIRAN

H.C.P.NO.512 OF 2022

Ravichandran

.. Petitioner

Vs.

1. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thittakudi, Cuddalore District.

2. State represented by
Inspector of Police,
Thittakudi Police Station,
Cuddalore.

3. S.Kaliyaperumal

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents herein to produce the body of the detainee by name R.Abarna, daughter of M.Ravichandran, aged about 25 years, before this Court and set her at liberty.

For Petitioner : Mr.R.Vijayakumar

For RR 1 and 2 : Mr.R.Muniyapparaj,
Addl. Public Prosecutor

ORDER

[Made by P.N.PRAKASH, J.]

This habeas corpus petition has been filed seeking a direction to the respondents herein to produce the body of the detainee by name R.Abarna, daughter of M.Ravichandran, aged about 25 years, before this Court and set her at liberty.



2. It is the case of the petitioner his daughter Abarna, aged about 25 years, went missing from 19.03.2022 and that the police are not taking effective steps to secure her.

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3. Today, G.Annakodi (Mobile No.94884 17100), Inspector of Police, Thittakudi Police Station, Cuddalore District, is present.

4. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner alleging that his daughter was frequently talking to one Santhanadevan and she has gone missing from 19.03.2022, a case in Thittakudi Police Station Crime No.178 of 2022 was registered on 20.03.2022 for 'woman missing'; Thereafter, after recording the statement of the petitioner, the case was altered from 'woman missing' to one under Section 366 IPC and one Kaliyaperumal, third respondent herein, was made as an accused, as investigation disclosed that the petitioner's daughter had not eloped with Santhanadevan, but, with Kaliyaperumal. He further submitted that Aparna got married to Kaliyaperumal on 21.03.2022 at Angalamman Temple, Karaikal and thereafter, appeared before the Commissioner of Police, Trichy City and sought police protection on the ground their marriage is an intercaste marriage and there may be honour killing. It is his further submission that the complaint given by Aparna was forwarded by the Commissioner of Police, Trichy, to the Inspector of Police, All Women Police Station, Ponmalai, based on which, a petition enquiry in C.S.R.No.79 of 2022 was registered and during the course of enquiry, the petitioner appeared before the Inspector of Police, All Women Police Station, Ponmalai and he was informed that his daughter has got married to Kaliyaperumal and fearing honour killing they are in hiding.

5. Aparna is not a minor, but, is 25 years old and she got married to the third respondent on her own volition. We are of the view that Aparna is not in the illegal custody of anyone for the issuance of a writ of habeas corpus.

Hence, this habeas corpus petition stands closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

nsd



To

1. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thittakudi, Cuddalore District.
2. The Inspector of Police,
Thittakudi Police Station,
Cuddalore.
3. The Inspector of Police,
All Women Police Station,
Ponmalai.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Vijayakumar, Advocate, S.R.No.21547

H.C.P.No.512 of 2022

PMK (CO)
PM/18/04/2022