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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2022

CORAM

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

H.C.P.NO.574 OF 2022

B.Dharmaraj

... Petitioner

.Vs.

1. The Superintendent of Police,
Office of the Superintendent,
Myladuthurai.

2. The Inspector of Police,
Sirkazhi Police Station,
Sirkazhi.

3. Jayakumar

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus pertaining to the illegal custody or illegally detention of the detainee Sai Vinika, F/A 25 years, daughter of Dharmaraj and consequently, direct the respondents to produce the detainee before this Court and set her at liberty.

For Petitioner : Mr.J.Jawahar

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

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

This habeas corpus petition has been filed seeking a direction to the respondents to produce petitioner's daughter Sai Vinika, aged about 25 years, before this Court and set her at liberty.



2. It is the case of the petitioner that his daughter Sai Vinika was in love with Jayakumar, third respondent herein, got married married to him and thereafter, the family of Jayakumar are not permitting him to meet his daughter. On these allegations, the present habeas corpus petition has been filed by the petitioner.

3. Today, S.Senthil (Mobile No.88830 27013), Special Sub-Inspector of Police, Sirkazhi Police Station, Sirkazhi, is present.

4. On instructions, the learned Additional Public Prosecutor submitted that though the petitioner is a native of Thanjavur District, he has gone on employment to Singapore, where, he was living with his family including his daughter Sai Vinika; Sai Vinika fell in love with Jayakumar and since the petitioner was not agreeable for the marriage, she left Singapore on 30.11.2021, came to Tamil Nadu, got married to Jayakumar and registered the same in the Sub-Registrar Office, Kalasapakkam, Thiruvannamalai, on 01.12.2021. He further submitted that the petitioner has also obtained a release deed from his daughter Sai Vinika and produced a copy of it.

5. It is not the case of the petitioner that Sai Vinika is in the illegal custody of the respondents 1 and 2. However, the fact remains that Sai Vinika has got married to Jayakumar and therefore, it cannot be stated that she is in the illegal custody of Jayakumar, for the issuance of a writ of habeas corpus.

Hence, this habeas corpus petition stands closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

nsd

To

1. The Superintendent of Police,
Office of the Superintendent,
Myladuthurai.



2. The Inspector of Police,
Sirkazhi Police Station,
Sirkazhi.

3. The Public Prosecutor,
High Court, Madras.

H.C.P.NO.574 OF 2022

SKM(CO)
PBS/28/04/2022