



H.C.P.No.2303 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.11.2022

Coram

The Honourable Mr. Justice **P.N.PRAKASH**
and
The Honourable Mr. Justice **RMT.TEEKAA RAMAN**

H.C.P.No.2303 of 2022

Sengottaiyan

.. Petitioner

Vs

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

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

3.P.Parthasunil

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the second respondent to produce the body of the detenue *viz.* Nathiya, aged about 25 years, D/o.late Palanisamy, whose whereabouts are not known and produce the detenue before this Court and set her at liberty.



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For Petitioner : Mr.R.Marudhachalamurthy

For Respondents : Mr.R.Muniyapparaj
Addl. Public Prosecutor

ORDER

(Made by *P.N.PRAKASH, J.*)

This habeas corpus petition has been filed by the petitioner seeking a direction to the second respondent to produce his sister *viz.* Nathiya, aged about 25 years, D/o.late Palanisamy and produce her before this Court and set her at liberty.

2. It is the case of the petitioner that his sister Nathiya, aged about 25 years, left home on 27.10.2022 and is in the illegal custody of the third respondent.

3. Today, K.Thangadurai (Mobile No.94981 67935), Special Sub-Inspector of Police, Konganapuram Police Station, Salem District, is present.

4. On instructions, the learned Additional Public Prosecutor



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submitted that on a complaint given by the petitioner, a petition enquiry in C.S.R.No.457 of 2022 dated 28.10.2022 was registered by the Sub-Inspector of Police, Konganapuram Police Station; during enquiry, it came to light that Nathiya was in love with Parthasunil, third respondent herein, who belongs to a different caste, got married to him on 28.10.2022 under self-respect form of marriage and the couple is now in Kerala, fearing reprisal by the petitioner.

5. The learned counsel for the petitioner submitted that if the sister of the petitioner appears before the Superintendent of Police, Salem and if the petitioner is permitted to meet her sister, it would suffice.

6. Therefore, we direct the second respondent/police to produce Nathiya before the Superintendent of Police, Salem, on or before 21.11.2022 and make arrangements for the petitioner to meet his sister Nathiya and speak to her in the office of the Superintendent of police, Salem.

With the above observations and directions, this habeas corpus



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petition stands closed.

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(P.N.P., J.) (TKRJ)
14.11.2022

nsd

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- 1.The Superintendent of Police,
Pothinayanapally,
Jakkappan Nagar, Krishnagiri District.
- 2.The Inspector of Police,
Kaveripattinam Police Station,
Krishnagiri District.
- 3.The Inspector of Police,
Sathuvacheri Police Station,
Vellore District.
- 4.The Secretary,
District Legal Services Authority,
Vellore.
- 5.The Public Prosecutor,
Madras High Court.

P.N.PRAKASH, J.
and



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RMT.TEEKAA RAMAN, J.

nsd

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