



H.C.P.No.2344 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2022

Coram

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

H.C.P.No.2344 of 2022

A.Suseela

.. Petitioner

Vs

1.State represented by its
Superintendent of Police,
Tiruvallur District.

2.State of Tamil Nadu represented by its
Inspector of Police,
Manavalan Nagar of Police,
Manavalan Nagar, Tiruvallur District.

3.Kungumaraj

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the first and second respondents to produce the body of the petitioner's daughter viz. Uvarani, aged about 24 years, before this Court from the illegal custody of the third respondent and set her at liberty.



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H.C.P.No.2344 of 2022

For Petitioner : Mr.S.P.Sudalaiyandi

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 by the petitioner seeking a direction to the first and second respondents to produce her daughter viz. Uvarani, aged about 24 years, before this Court from the illegal custody of Kungumaraj, third respondent herein and set her at liberty.

2. It is the case of the petitioner that her daughter Uvarani, aged about 24 years, went missing from 23.10.2022 and that she is in the illegal custody of Kungumaraj/R3.

3. Today, G.Babu (Mobile No.94981 47580), B-5, Manavala Nagar Police Station, Tiruvallur District, is present.



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4. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Manavala Nagar Police Station Crime No.279 of 2022 was registered on 24.10.2022 and during the course of investigation, it came to light that Uvarani was in love with Kungumaraj/R3, eloped with him and got married to him.

5. The learned Additional Public Prosecutor connected us to Uvarani *via* a WhatsApp video call. When we enquired Uvarani, she stated that her date of birth is 04.08.1998 and she is doing her M.B.A.; she was in love with Kungumaraj/R3 and got married to him on 27.10.2022 at Chatrapatti, Dindukal District; she is now living with Kungumaraj/R3 in Palani Taluk, Kanakkanpatti Village in Dindukal District.

6. In such view of the matter, it cannot be stated that Uvarani, aged about 24 years, is in the illegal custody of the respondents herein for the issuance of a writ of habeas corpus.



H.C.P.No.2344 of 2022

Hence, this habeas corpus petition stands closed with a direction to the Additional Superintendent of Police, Thiruvallur Range, Thiruvallur District, to supervise the investigation in Crime No.279 of 2022 that is being conducted by the Inspector of Police, Manavala Nagar Police Station, Tiruvallur District and keep the petitioner informed of the developments, if any. As and when Uvarani, aged about 24 years, is secured, she shall be produced before the Judicial Magistrate Court No.II, Tiruvallur District, under intimation to the petitioner. On such production, the learned Magistrate may pass appropriate orders with regard to custody in accordance with law.

(P.N.P., J.) (TKRJ)
18.11.2022

nsd



H.C.P.No.2344 of 2022

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To

- 1.The Judicial Magistrate No.II,
Tiruvallur District.
- 2.The Superintendent of Police,
Tiruvallur District.
- 3.The Additional Superintendent of Police,
Thiruvallur Range, Thiruvallur District.
- 4.The Inspector of Police,
Manavalan Nagar of Police,
Manavalan Nagar, Tiruvallur District.
- 5.The Public Prosecutor,
Madras High Court.



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and
RMT.TEEKAA RAMAN, J.

nsd

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