



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
and
THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
H.C.P. (MD) No.64 of 2022

A.Jeyapal ... Petitioner

-VS-

1.The Superintendent of Police,
District Police Office,
Dindigul District.

2.The Inspector of Police,
Nilakottai Police Station,
Nilakottai,
Dindigul District.

3.Pounthai ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Habeas Corpus, directing the second respondent to produce the person or body of the petitioner's son by name Jeyaraj, S/o.Jeyapal, aged about 29 years before this Court and set him at liberty.

For Petitioner : Mr.M.Maran
For R1 & R2 : Mr.S.Ravi
Additional Public Prosecutor

O R D E R

[Order of the Court was made by DR.G.JAYACHANDRAN,J.]

The son of the petitioner, who is the auto driver, aged about 29 years has eloped with married woman for the second time. In spite of the act, his father has now filed the Habeas Corpus Petition suppressing the several material facts as if his son gone missing on 19.10.2021 and the third respondent and her relatives are caused for missing.

2. The learned Additional Public Prosecutor appearing for the respondents 1 & 2 submits that the petitioner's son had illegal affair with the married woman and eloped with her earlier. The



petitioner arranged marriage for his son with Suganyadevi which was performed on 17.05.2021 after the petitioner's son was secured by the police and handed over to the petitioner. After the marriage, within 5 months, he eloped with the very same lady Puvaneshwari and thereafter, the complaint has been lodged.

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3. Even though, it is contended by the learned counsel for the petitioner that the said Puvaneshwari is not a married woman, the learned Additional Public Prosecutor submitted that the Puvaneshwari was already married and got two children and that the petitioner's son eloped with married woman Puvaneshwari. The third respondent is the mother of the said Puvaneshwari.

4. Taking note of the fact that son of the petitioner has eloped with married woman and that he is not an illegal custody, we find no merits in this petition and hence, this habeas corpus petition is dismissed with a cost of Rs.25,000/- (Rupees Twenty Five Thousand Only) payable to the Police Welfare Fund.

Sd/-

Assistant Registrar(CS-)

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Sub Assistant Registrar(CS)

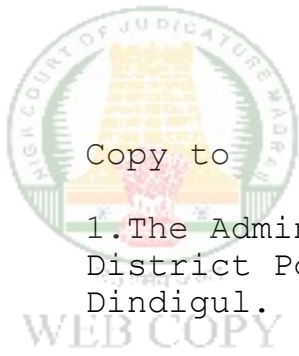
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Note :

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,
District Police Office,
Dindigul District.
- 2.The Inspector of Police,
Nilakottai Police Station,
Nilakottai,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,



Copy to

1.The Administrative Officer(Accounts),
District Police Office,
Dindigul.

H.C.P. (MD) No.64 of 2022
21.01.2022

nsn(CO)
TR(02.02.2022) 3P 5C