



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

and

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

H.C.P. (MD) No.234 of 2022

WEB COPY

Subramanian

... Petitioner/
Father of Detenu

Vs.

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

2.The Inspector of Police,
Athirampattinam Police Station,
Thanjavur District.
Crime No.711 of 2021

3.V.Balamurugan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Habeas Corpus directing the second respondent herein to secure the detainee and produce the body or person of the detainee, namely Prasanthini, D/o.Subramanian, aged 25 years from the illegal custody of the third respondent and produce the petitioner's daughter before this Court and set her at liberty.

For Petitioner : Mr.R.Mathiyalagan

For Respondents 1 & 2 : Mr.S.Ravi

Additional Public Prosecutor

For Detenu : Mr.Arun Prasad

O R D E R

R.SUBRAMANIAN, J.

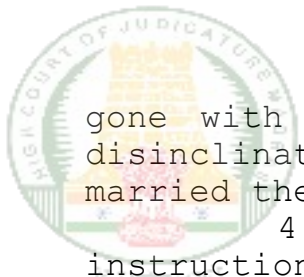
AND

N.SATHISH KUMAR, J.

The petitioner seeks for production of the person of his daughter Prasanthini, who is said to be missing since 27.09.2021.

2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. The detainee has been produced. She would state that she is living with one Balamurugan, the third respondent and she has



gone with him out of her own volition. She also expresses her disinclination to go with her parents. She adds that she has married the said Balamurugan.

4. Mr.S.Ravi, learned Additional Public Prosecutor, on instructions, would submit that the documents relating to the alleged marriage between the detainee and the said Balamurugan have been fabricated.

5. Sitting in the Habeas Corpus jurisdiction, we cannot go into those allegations and counter allegations. It is open to the Police to take whatever proceedings they deem fit on the basis of the available materials.

6. In view of the fact that the detainee has expressed her disinclination to go with her parents and that she is living with the third respondent on her own volition and she being a major, we do not see any case of illegal detention. Hence, this Habeas Corpus Petition is dismissed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

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,
Thanjavur District,
Thanjavur.
- 2.The Inspector of Police,
Athirampattinam Police Station,
Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD) No.234 of 2022

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