



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :08.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

H.C.P. (MD) No.307 of 2022

and

Cr1.O.P (MD) No.4125 of 2022

H.C.P (MD) No.307 of 2022

Mohanapriya

... Petitioner/ Mother of the Detenue

-vs-

1.The Superintendent of Police,
Office of the Superintendent of Police Office,
Karur District.

2.The Inspector of Police,
Thanthonimalai Police Station,
Karur District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus, to direct the respondents 1 & 2 to produce the person or body of the detenue by name Keerthana, D/o.Selvaraj, female, aged 19 years before this Court and set her at liberty.

For Petitioner	:	Mr.D.S.Haroon Rasheed
For Respondents	:	Mr.A.Thiruvadikumar Additional Public Prosecutor

Cr1.O.P (MD) No.4125 of 2022

S.Keerthana

... Petitioner

-vs-

1.The Superintendent of Police,
Karur District.

2.The Inspector of Police,
Thanthontimalai Police Station,
Karur District.



3.Selvaraj

... Respondents

PRAYER: Petition filed under Section 482 of Criminal Procedure Code, to direct the respondents 1 and 2 to give police protection to the life and limb of the petitioner and her husband/Kumaresan for their peaceful living on the basis of the petitioner's representation, dated 22.02.2022.

For Petitioner : Mr.K.P.Narayanakumar

For R1 & R2 : Mr.A.Thiruvadikumar

For R3 : Additional Public Prosecutor
Mr.D.S.Haroon Rasheed

C O M M O N O R D E R

R. SUBRAMANIAN, J

AND

N. SATHISH KUMAR, J

The petitioner seeks production of the person of her daughter Keerthana, aged about 19 years claiming that she is missing from 17.02.2022 and police have not taken proper action and hence, she has come out with the present Habeas Corpus Petition.

2. Upon notice, the detainee has been secured by the police and she has been produced before us. She claimed that she was in love with one Kumaresan, S/o.Arumugam residing at Rayanoor, Karur and since her parents did not approve her love affair, they have walked out from their house and got married at Kollimalai on 17.02.2022. She had also filed Crl.O.P(MD)No.4125 of 2022 seeking police protection.

3. We interacted with the detainee, she would express her unwillingness to go with her parents and she claimed that she got married one Kumaresan and she is living with him. The said Kumaresan is also present. He would also affirm the factum of the marriage. The parents of the detainee, who are present, also interacted with her and they attempted to persuade to come with them. The detainee is very firm that she would only go with the said Kumaresan and she will not go with the parents. She being a major and willingly residing with the said Kumaresan, we do not find any case of illegal detention.

4. Accordingly, this Habeas Corpus Petition is dismissed.

5. On interaction with the parents, we find that there is no threat to the detainee as claimed in Crl.O.P(MD)No.4125 of 2022, we



do not, therefore, see any reason to grant police protection as prayed for and therefore, it is dismissed.

Sd/-

Assistant Registrar

// True Copy //

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/ /2022

Sub Assistant Registrar

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,
Office of the Superintendent of Police Office,
Karur District.
- 2.The Inspector of Police,
Thanthonimalai Police Station,
Karur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.K.P.NARAYANAKUMAR, Advocate (SR-10661[F] dated 08/03/2022)

H.C.P. (MD) No.307 of 2022
and

Cr1.O.P (MD) No.4125 of 2022
08.03.2022

AM

MS/18.03.2022/3P.5C