



WEB COPY

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.324 of 2022

S.Muthulakshmi

... Petitioner/mother of the
detenue

Vs.

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

2.The Inspector of Police,
Alanganallur Police Station,
Madurai District.

3.Dharmendiran

4.Jeeva

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus directing the 1st and 2nd respondents to produce the person or body of the detenue namely Nivetha, who is the daughter of Suresh aged about 19 years before this Court and set her at liberty.

For Petitioner	: Mr.J.Senthil Kumaraiah
For R-1 & R-2	: Mr.A.Thiruvadi Kumar, Additional Public Prosecutor

O R D E R

R.SUBRAMANIAN, J.

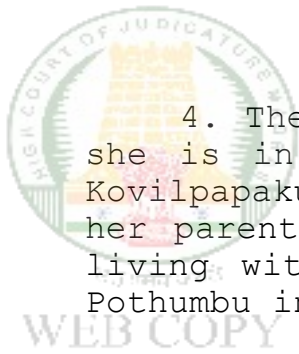
AND

N.SATHISH KUMAR, J.

The petitioner seeks production of the person of her daughter Nivetha, aged about 19 years.

2. According to the petitioner, the detenue went missing from 02.02.2022. Suspecting that respondents 3 and 4 are illegally detaining the detenue, the petitioner has come up with this petition.

3. After notice, the respondent police have secured the detenue and she has been produced before us.



4. The detainee is a major aged 19 years. She would state that she is in love with one Jeeva, S/o.Dharmendiran of East Street, Kovilpapakudi, Madurai - 18 and she would like to marry him. Since her parents opposed her love, she walked out the house and she is living with the grand mother of said Jeeva by name Adaikalam of Pothumbu in Madurai District.

5. The said Jeeva as well as his grand mother appeared before us. The grand mother assures that she would take care of the girl and ensure that after completion of education, the detainee will be married to Jeeva. She admitted that they are ready to send the detainee to go with her mother. But, the girl flatly refused to go back with her mother. She would further state that the mother of the detainee fed her black substance and attempted to force her to come out of love.

6. In the above backdrop, we do not see any illegal detention involved and the detainee on her own volition left the home. Hence, we do not see any reason to exercise the power under Article 226 of the Constitution of India and hence, the Habeas Corpus Petition fails and is accordingly dismissed.

7. The respondent police are required to keep a watch on the detainee, Jeeva, S/o.Dharmendiran and his grand mother Adaikalam. If they notice any untoward incident, they are required to take appropriate action.

Sd/-

Assistant Registrar (CS.II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To:

- 1.The Superintendent of Police,
Madurai, Madurai District.
- 2.The Inspector of Police,
Alanganallur Police Station, Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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