



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.01.2022

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CORAM:

**THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
and
THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN**

H.C.P. (MD)No.1853 of 2021

N.Kumarasamy

... Petitioner /
Father of the Detenue

Vs.

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

2.The Inspector of Police,
Y.Othakadai Police Station,
Y.Othakadai, Madurai.

3.Karthikeyan

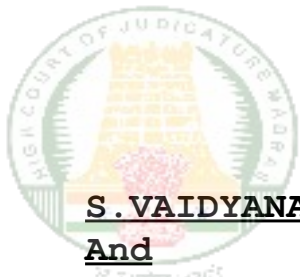
4.Rajameenal

... Respondents

PRAYER: Habeas Corpus Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, to direct the 1st and 2nd respondents to secure the body or person of the petitioner's Daughter/Detenue, namely, K.Durga, aged about 23 years and produce her before this Court and set her at liberty.

For Petitioner : Mr.R.Narayanan

For R1 and R2 : Mr.S.Ravi
Additional Public Prosecutor



O R D E R

S.VAIDYANATHAN, J.

And

DR.G.JAYACHANDRAN, J.

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

The petitioner, alleging that his daughter is under the illegal custody of the third and fourth respondents, has filed this Habeas Corpus Petition and certain obscene photographs are also annexed along with the typeset of papers filed in support of this petition indicating that the daughter of the petitioner is in undue influence of the third and fourth respondents.

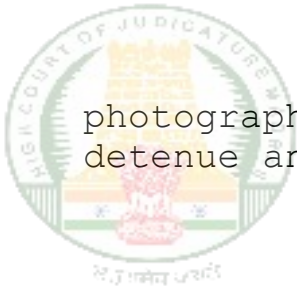
2. When the matter was taken up on the last occasion, this Court ordered notice to the respondents 1 and 2 and to investigate the matter. After notice, the detenue herself appeared before this Court through video conference and informed that she is not in illegal custody of any person and on her own, she has left the home and took the help of the third and fourth respondents for her enrollment as an advocate, since the third respondent is a practising advocate at Chennai.

3. The affidavit in support of the said submission also filed by the alleged detenue.

4.The Inspector of Police/second respondent has filed a status report dated 10.01.2022 narrating the events took place in the family of the petitioner, the illicit intimacy between the third respondent and the detenue as the real cause for filing this Habeas Corpus Petition.

5. In view of the above, this Court is not inclined to look into the merits of the allegation and we are satisfied that the daughter of the petitioner is a major and on her own, she has left the house leaving a letter as if she had chosen her life of her choice. Through Habeas Corpus Petition, the said issue cannot be settled.

6. Since the girl herself has said that she is not in any illegal detention, the Habeas Corpus Petition is closed. However, it is open to the petitioner herein to initiate disciplinary action against the third respondent, a member of the Bar, who has involved in illegal intimacy with the law graduate to satisfy his carnal pleasure and taken obscene



photographs of her to intimidate the family members of the detainee and also the detainee.

Sd/-

Assistant Registrar (Records)

// True Copy //

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/ /2022

Sub Assistant Registrar(CS)

PJL

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

+1 CC to M/s.R.NARAYANAN, Advocate (SR-1119[F] dated 11/01/2022)

**H.C.P. (MD) No.1853 of 2021
10.01.2022**

RK(27/01/2022) 3P 5C