



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
and
THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
H.C.P.(MD) No.1885 of 2021

Madasamy ... Petitioner/Father of Detenue

-vs-

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

2.The Inspector of Police,
North Police Station,
Thoothukudi,
Thoothukudi District.

3.Sundaramurthy ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Habeas Corpus, directing the first and second respondents to produce the person or body of petitioner's daughter namely Mari Irulayee/detenue, daughter of Madasamy, aged 24 years before this Court and set her at liberty.

For Petitioner	:	Mr.V.Malaiyendran
For R1 & R2	:	Mr.S.Ravi
		Additional Public Prosecutor
For R3	:	No appearance

O R D E R

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

The present Habeas Corpus Petition has been filed by the father of the detenue stating that her daughter, namely, Mari Irulayee, aged about 24 years was missing and that the third respondent has take her and she has been illegally detained by the third respondent.

2. The learned Additional Public Prosecutor appearing for the respondents 1 & 2 submitted that the respondent police has registered a case and after enquiry, she was traced.



3.Today, the respondent police has produced the detenu before this Court through Video Conferencing through the Public Prosecutor Office. On enquiry, the detenu submitted that she married the third respondent on 04.12.2021.

WEB COPY

4. The learned counsel appearing for the petitioner submitted that the third respondent has already married another lady and having a child aged about 7 years old.

5. This Court cannot go into this aspect in the present Habeas Corpus Petition as the detenu is present before this Court through Video Conferencing and she submitted that she married the third respondent.

6. In view of the above, there is no illegal custody of the detenu and hence, this Habeas Corpus Petition is dismissed. It is open to the parties to work out their remedy before the appropriate forum in accordance with law. No costs.

Sd/-

Assistant Registrar (T&P)

// 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,
Thoothukudi District.

2.The Inspector of Police,
North Police Station,
Thoothukudi,Thoothukudi District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD) No.1885 of 2021

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MGJ(20.01.2022) 2P 4C

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