



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.01.2022

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
and
THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
H.C.P.(MD) No.1936 of 2021

Sakunthala

... Petitioner/
Mother of Detenue

-vs-

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

2.The Deputy Superintendent of Police,
Melur,
Madurai District.

3.The Inspector of Police,
Kottampatty Police Station,
Melur Taluk,
Madurai District.

4.Gnanamani

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Habeas Corpus, directing the respondents 1 to 3 to produce the body or person of the detenue, namely, Priyadharshini, aged about 19 years, D/o.Chinnasamy before this Court and consequently to set her at liberty.

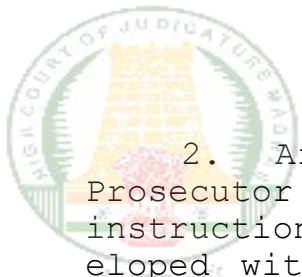
For Petitioner : Mr.N.Kumar

For R1 to R3 : Mr.S.Ravi
Additional Public Prosecutor

O R D E R

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

The petitioner, who is the mother of the detenue, namely, Priyadharshini, aged about 18 years 9 months, has filed this Habeas Corpus Petition alleging that her daughter has been abducted by the fourth respondent and she is worried about her safety.



2. After taking notice, the learned Additional Public Prosecutor appearing for the respondents 1 to 3 has obtained instructions which indicates that the daughter of the petitioner has eloped with the fourth respondent and married him on 19.11.2021. The detainee has also gone to the Natham Police Station and has given a complaint about her mother and the same has been registered in C.S.R.No.1238 of 2021. The petitioner was summoned to the police station to enquire the matter, but the petitioner has not participated in the enquiry and had informed to the Investigating Officer at Natham Police Station that they will approach the Court for remedy and thereafter, the present Habeas Corpus Petition has been filed.

3. From the submission made by the learned Additional Public Prosecutor, it is clear that the petitioner's daughter Priyadharshini date of birth is 02.04.2003 and she has eloped with the fourth respondent and got married. Being a major the said elopement and the marriage cannot be questioned in a Habeas Corpus Petition. Since the petitioner herein suppressing the above fact of registration of CSR and receipt of the summons from the Natham Police Station has filed this Habeas Corpus Petition which is devoid of truth.

4. Hence, this Habeas Corpus Petition is dismissed. No costs.

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,
Madurai District,
Madurai.



2.The Deputy Superintendent of Police,
Melur,
Madurai District.

3.The Inspector of Police,
Kottampatty Police Station,
Melur Taluk,
Madurai District.

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

H.C.P. (MD) No.1936 of 2021
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RK(24/01/2021) 3P 5C