



HCP(MD)No.2080 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 16.12.2022

CORAM

**THE HON'BLE DR.JUSTICE G.JAYACHANDRAN  
AND  
THE HON'BLE MR.JUSTICE SUNDER MOHAN**

H.C.P.(MD)No.2080 of 2022

P.Chandran

.. Petitioner / Father of the  
Detenu

Vs.

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

2.The Inspector of Police,  
Thiruppuvanam Police Station,  
Sivagangai District.

3.Priya  
4.Mookammal  
5.Malaisamy

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, directing the respondents 1 and 2 to produce the petitioner's son by name Siva, aged about 20 years 11 months, who is keeping under the illegal detention by the fourth and fifth respondents and set him at liberty.



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For Petitioner :Mr.R.Suresh Kumar

For Respondents :Mr.S.Ravi  
Additional Public Prosecutor

### **ORDER**

**DR. G.JAYACHANDRAN,J.**

**AND**

**SUNDER MOHAN,J.**

The son of the petitioner by name Siva, whose date of birth is 22.12.2001, as per the school record, alleged to have eloped with married lady by name Priya. In this connection, the husband of the Priya, has already lodged a complaint before the respondent police, on 30.11.2022 in Cr.No. 399 of 2022 alleging that his wife has been enticed by the said Siva and being abducted by him.

2.When the police took up the investigation, the petitioner herein, who is the father of the said Siva, has given a complaint to the respondent police, on 06.12.2022, as if his son was forcibly abducted by the respondents 4 and 5. After filing this complaint, the present Habeas Corpus Petition is filed alleging that the police is not acting upon his complaint.



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3.This Court ,on perusing the records, finds that this Habeas Corpus Petition deserves to be dismissed illumine, for the reason that it is a clear case of elopement. The police has taken cognizance of the offence and are investigating the matter. The petitioner, to avoid action by the respondent police, has filed this Habeas Corpus Petition as if his son being abducted by the respondents 4 and 5.

4.For the reasons stated above, this Habeas Corpus Petition is dismissed.

**(G.J.,J.) (S.M.,J.)**  
**16.12.2022**

Index:Yes/No  
Internet:Yes/No  
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**DR.G.JAYACHANDRAN,J.**  
**AND**  
**SUNDER MOHAN,J.**

**Ns**

To

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

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