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H.C.P.No.160 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2023

CORAM

**THE HONOURABLE MR.JUSTICE M.SUNDAR**

and

**THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR**

H.C.P.No.160 of 2023

Anbumani  
S/o.Muthuvel

.. Petitioner

Vs.

1. The State Rep. by  
The Superintendent of Police  
Office of the Superintendent of Police  
Mayiladuthurai  
Mayiladuthurai District.

2. The State Rep by  
The Inspector of Police  
Perambur Police Station  
Perambur  
Mayiladuthurai District.

3. Ezhil  
S/o.Thangavel  
Senthakudi  
Mayiladuthurai Taluk  
Mayiladuthurai District.

.. Respondents

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Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus to direct the 2nd respondent therein to produce the body and person of the detinue by name Senthamarai @ Selvi aged about 30 years before this Hon'ble Court and set her at liberty.

For Petitioner : Mr.D.Arun  
For R1 and R2 : Mr.R.Muniyapparaj  
Additional Public Prosecutor

### **ORDER**

**[Order of the Court was made by M.NIRMAL KUMAR, J.,]**

The petitioner, who is the father of one Senthamarai lodged a complaint on 13.01.2023 stating that his daughter was found missing. It is stated that earlier, marriage was fixed to the petitioner's daughter Senthamarai with one Senthil on 10.02.2022. Thereafter, the third respondent herein gave a complaint on 11.11.2022 to the second respondent stating that he is in love affair with the petitioner's daughter but her parents forcibly arranged her marriage with Senthil. On his complaint, enquiry was conducted and at that time, the petitioner's daughter confirms that there is no love affair with the third respondent. Thereafter, the third respondent given undertaking not to disturb the petitioner's family. This being so, the petitioner's daughter was found missing from 13.01.2023 along with 15

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sovereigns of gold jewels which she worn. Hence, a case was registered as 'Woman Missing' on 13.01.2023. Thereafter, no action was taken. Now, the petitioner apprehends danger and life threat to his daughter at the hands of third respondent. Hence, the petitioner filed this petition to see his daughter and also to confirm whether she is willing to live with the third respondent.

2. The learned Additional Public Prosecutor submits that on the complaint made by the petitioner, enquiry was conducted with third respondent as well as his daughter Senthamarai. The petitioner's daughter Senthamarai informed that her marriage was happily conducted in a temple, photos were also produced and she is willing to live with the third respondent. After confirming that the petitioner's daughter Senthamarai is not illegally detained, the case was left as it is.

3. Mr.S.Ramachandran, Special Sub-Inspector of Police, Perambur Police Station is before this Court.



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4. The learned counsel for the petitioner submits that he wants to know the whereabouts of his daughter and to meet his daughter. Hence, the learned Additional Public Prosecutor is directed to furnish the present address of the petitioner's daughter. The learned Additional Public Prosecutor, on instructions, submitted that the petitioner's daughter along with the third respondent/Ezhil is residing at No.12, Jayalalitha Nagar, New Medical College Opposite, Ariyalur District.

5. Considering the submissions and considering the fact that there is no illegal detention of petitioner's daughter Senthamarai, who is 30 years old, B.Sc., graduate, this Habeas Corpus Petition is dismissed. There shall be no order as to costs.

(M.S.,J.)

(M.N.K.,J.)

03.02.2023

Index : Yes / No

Speaking / Non-speaking

Neutral Citation : Yes / No

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4. The Public Prosecutor  
High Court, Madras.

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**M.SUNDAR, J.,**  
**and**  
**M.NIRMAL KUMAR, J.,**

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