



WEB COPY



H.C.P.No.304 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 01.03.2023

Coram:

THE HONOURABLE MR.JUSTICE M.SUNDAR
and
THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

H.C.P.No.304 of 2023

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S.Ramachandran

.. Petitioner

Vs.

1. The State rep. by Commissioner of Police,
Office of the Commissioner of Police,
Salem.

2. Inspector of Police,
Veeraganur Police Station,
Salem.

3. Mani

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Habeas Corpus to direct the respondents 1 and 2 to produce the person or body of the petitioner's daughter, namely xxxxx, aged about 21 years old, before this Court and set her at liberty.



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For petitioner : Mr.M.R.Franklin

For respondents: Mr.R.Muniappa Raj, Addl.P. for RR-1 & 2

ORDER

(The Order of the Court was made by M.Sundar, J)

The captioned 'Habeas Corpus Petition' ('HCP' for the sake of brevity) has been filed by the petitioner complaining that his 21 year old daughter (xxxx) (we shall refer to the petitioner's daughter as 'absentee' for convenience) is missing from 02.01.2023. Learned counsel for petitioner submitted before us that a complaint was registered with the second respondent-Police on 11.01.2023 and the 'First Information Report' ('FIR' for the sake of brevity) was registered showing 'woman missing'.

2. The learned Additional Public Prosecutor who accepted notice on behalf of respondents 1 and 2 (official respondents) submitted that the second respondent-Police, acting on the aforesaid complaint, zeroed in on the absentee in Coimbatore on 14.01.2023. It is further submitted on instructions that complaint from the second respondent-Police has been investigated by Sub-Inspector of Police - Mr.M.Arjunan and that on further investigation, it came to light that the absentee married third respondent on

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03.01.2023 in a Temple at Coimbatore. It is also submitted that the petitioner before us himself has gone to the Police Station and had given statement in this regard, i.e., about the wedding on coming to know about the marriage of the absentee with the third respondent. To be noted, we had the benefit of perusing the Case Diary.

3. In the light of the narrative thus far, we find that this is not a case of illegal detention and therefore, noticing that the absentee is a major who had completed B.Sc. (Maths), we deem it appropriate to dispose of this HCP as closed. Accordingly, the HCP is closed.

(M.S., J) (M.N.K., J)
01.03.2023

Speaking Order: Yes/no
Neutral Citation: Yes/no
cs



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To
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1. The State rep. by Commissioner of Police,
Office of the Commissioner of Police,
Salem.
2. Inspector of Police,
Veeraganur Police Station,
Salem.
3. The Public Prosecutor, High Court, Madras.



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M.SUNDAR, J

and

M.NIRMAL KUMAR, J

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