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H.C.P.No.496 of 2023

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2023

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR

and

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

H.C.P.No.496 of 2023

Kaluvambal

.. Petitioner

Vs.

State rep. by

1.The Superintendent of Police,
Villupuram District.

2.The Inspector of Police,
Vikravandi Police Station,
Villupuram District.

3.Parthiban

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus directing the respondents 1 and 2 to produce the body and person of the petitioner's daughter by name Revathi W/o.Mohan Raj, aged about 30 years, who is under the illegal custody of the 3rd respondent before this Court and set her at liberty forthwith.

For Petitioner : Mr.R.Sankarasubbu
for Mr.S.Sengkodi
For R1 & R2 : Mr.R.Muniyapparaj,
Additional Public Prosecutor
Assisted by Mr.A.Narkeeran

ORDER

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

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The petitioner/mother of one Revathi lodged a complaint on 14.12.2022 stating that the said Revathy was married to one Mohanraj in the year 2010 and out of their wedlock, two children were born to them. Thereafter, due to some misunderstanding between the said Revathi and her husband Mohan Raj, she came to petitioner's home and she was living there. On 04.11.2022, the said Revathi found missing and on the next day i.e., 05.11.2022, the petitioner received a phone call informing that the petitioner was residing with the third respondent and there was also a threat to the petitioner. On 17.11.2022, the petitioner lodged a complaint with Vikravandi Police and it was not acted upon and thereafter on 30.12.2022, FIR for WOMAN MISSING came to be registered in Crime No.605 of 2022 by the second respondent. The petitioner apprehending danger to her daughter Revathi and also considering the welfare of her grandchildren, she filed the present petition.

2.Today the petitioner, her son Ilayaraja, her daughter Revathy/detenuue herein and third respondent are present.

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3.We had interaction with them. The detenue Revathy informed that now she intends to go with her mother and thereafter take steps to get her two sons from her estranged husband, she further submitted that she has three elder brothers, who will take care of her and she is residing in Azur along with her mother. The third respondent submits that it is for the said Revathi who is a major to decide and he has got nothing to say.

4.Finding that the said Revathi/detenu herein is a major and now she intends to go with her mother, no further order is required. Hence, this Habeas Corpus Petition stands closed. There shall be no order as to costs.

(M.S.,J.)

(M.N.K.,J.)

10.04.2023

Index : Yes / No

Speaking / Non-speaking

Neutral Citation : Yes / No

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H.C.P.No.496 of 2023

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

cse

To

- 1.The Superintendent of Police,
Villupuram District.
- 2.The Inspector of Police,
Vikravandi Police Station,
Villupuram District.
- 3.The Public Prosecutor
High Court, Madras.

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