



WEB COPY



H.C.P.No.579 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2023

CORAM

THE HONOURABLE MR. JUSTICE **S.S. SUNDAR**
AND
THE HONOURABLE MR. JUSTICE **SUNDER MOHAN**

H.C.P.No.579 of 2023

Kolanji

... Petitioner

Vs.

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

2.The Inspector of Police,
Kaikalathur Police Station,
Cuddalore District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus to direct the respondents to produce the petitioner's daughter Vinodha, aged about 20 years before this Court and set her at liberty.

For Petitioner : Mr.S.Vellidoss

For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor
assisted by Mr.C.Aravind

ORDER

(Order of the Court was made by **S.S.SUNDAR, J.**)

Seeking a direction to the respondents to produce the petitioner's daughter Vinodha, aged about 20 years before this



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Court and to set her at liberty, the present habeas corpus petition has been filed.

2. Petitioner is the father of the detainee. The petitioner states that he is a coolie and his daughter by name Vinodha, aged about 20 years is married to petitioner's brother-in-law in the year 2021 and she was found missing from March 2023. This Court directed the first respondent to file a status report and to produce the detainee.

3. The detainee is produced before this Court today and on the mentioning of learned Additional Public Prosecutor, the matter was taken up as a special case after giving due intimation to the learned counsel for the petitioner. The petitioner/father of the detainee and his wife/mother of the detainee are also present today before this Court.

4. On enquiry, the detainee has stated that she on her own volition left the matrimonial home in search of a job as she was not happy with her husband. The detainee expressed her willingness to go with her parents provided her mother should not compel her to join with her husband, who is none else than the brother of the



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detenue's mother and the detenue appears to have some misunderstanding with her husband.

5. The mother of the detenue, who is present before this Court stated that she would not compel her daughter/detenue to join with her husband against her wish. The detenue sought for permission to approach the police in case she is compelled to join her husband against her wish. That liberty is always available to the detenue even without the order of this Court.

6. Recording the statement of the detenue that she is not in the illegal custody of anyone and recording the undertaking given by the mother of the detenue that she will not compel the detenue to join with her husband, this habeas corpus petition is closed.

(S.S.S.R., J.) (S.M., J.)
06.11.2023

Index : Yes / No

Neutral Citation : Yes / No

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To

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

2.The Inspector of Police,
Kaikalathur Police Station, Cuddalore District.

3.The Public Prosecutor,
High Court, Madras.



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