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H.C.P.No.694 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2023

CORAM

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

H.C.P.No.694 of 2023

Pooncholai

.. Petitioner

Vs

State rep. By

1.Superintendent of Police,
Villupuram, Villupuram District.

2.Inspector of Police,
Valathi Police Station,
Valathi, Villupuram District.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus to direct the respondent to produce the petitioner's daughter XXX, daughter of Pooncholai, aged about 22 years before this Court and set her at liberty.

For Petitioner : Mr.P.Singaram

For Respondents : Mr.R.Muniyapparaj,
Addl. Public Prosecutor
assisted by Mr.N.Narkeeran

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ORDER

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

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Petitioner, who is the father of XXX (we are masking the name

for obvious reasons and we shall be referring to the petitioner's daughter as 'absentee'), lodged a complaint with the second respondent on 29.03.2023 stating that the absentee was working in Vellore post office and she was deputed to General Post Office, Chennai and she had not gone for work from 20.03.2023 because of her ill-health. Since the absentee was found missing from 28.03.2023, the petitioner has lodged a complaint.

2. Today, the petitioner, the absentee and P.R.Sundar are present before this Court.

3. Learned Additional Public Prosecutor submitted that the absentee and one Sundar were working in General Post Office, Chennai and at that time they developed friendship. Both belong to different community. There was objection from the petitioner. Thereafter, they had a self respect marriage and the same has been registered with Sub Registrar Office, Periamet, Chennai on 05.04.2023. The respondent police called the absentee over phone



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and she informed about the marriage and sent a letter dated 18.04.2023. Thereafter, she has been harassed. Fearing that her father would create disturbance for her work now at Vellore, she seeks some protection.

4. Learned Additional Public Prosecutor submits that on the complaint of the petitioner, a case has been registered in Crime No.117 of 2023 for girl missing. The absentee sent a letter on 18.04.2023 stating that she had married one Sundar and the marriage certificate was also forwarded to the petitioner. The petitioner's daughter on her own will married and living with Sundar, there is no illegal detention. He further submits that the jurisdictional police would be properly instructed to give protection to the absentee.

5. Recording the above, finding no illegal detention of petitioner's daughter, the habeas corpus petition stands closed.

(M.S.,J.) **(M.N.K.,J.)**
28.04.2023

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Neutral Citation : Yes / No
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**M.SUNDAR, J.,
and
M.NIRMAL KUMAR, J.,**

mmi

To

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

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