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H.C.P.No.1020 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2023

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR
and

THE HONOURABLE Mr.JUSTICE R.SAKTHIVEL

H.C.P.No.1020 of 2023

Mr.Jesse Edward James Glonet
S/o.Edward Glonet

.. Petitioner

Vs.

1. The Commissioner of Police
Coimbatore City
Coimbatore

2. The Inspector of Police
Saravanampatti Police Station
Coimbatore

3. Mr.Senthilkumar

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus directing respondents 1 and 2 to produce the person and body of the 'xxx', female aged about 19 years, D/o.Senthil Kumar before this Court and set him at liberty.

For Petitioner : Mr.S.Senthilvel
for Ms.S.Valliammal

For Respondents : Mr.E.Raj Thilak

Page Nos.1/5



WEB COPY



H.C.P.No.1020 of 2023

Additional Public Prosecutor
ORDER

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

Central theme of captioned 'Habeas Corpus Petition' ['HCP' for the sake of brevity] is 'xxx' (we are masking the name of the individual and shall be referring to her as 'absentee' for the sake of convenience and clarity] and absentee's friendship on social media with the petitioner.

2. The petitioner and the absentee are majors. The petitioner is aged 32 years old and the absentee having been born in December of 2003 is 19 years old.

3. As regards aforementioned central theme, further facts as presented before us is that the petitioner who is a Canadian citizen (resides in Canada) came to India in the hope of marrying the absentee and the absentee's father, the third respondent, came in the way and the exercise got derailed. Captioned HCP is predicated on the apprehension that absentee has been illegally detained by the third respondent.

4. Today, the petitioner, petitioner's counsel Mr.S.Senthilvel, Mr.E.Raj Thilak, learned State Additional Public Prosecutor for Respondents 1 and 2 (official respondents) instructed by Mr.J.Saravanan, Inspector of Police, E3,



H.C.P.No.1020 of 2023

Saravanampatti Police Station, third respondent and absentee are present in

WEB COURT.

5. We had a short interaction with the absentee. In the interaction, the absentee said that the petitioner and she were friends on a social media platform but marriage with the petitioner is not acceptable for her. Be that as it may, the absentee and the petitioner had an interaction in the Court with adequate privacy and we are informed by the learned counsel for the petitioner that the absentee has informed this factum / absentee's stated position to the petitioner.

6. Learned counsel for petitioner pointed out that a complaint has been lodged against the petitioner by the third respondent vide C.S.R.No.398 of 2023 and that is becoming an impediment for the petitioner to go back to his motherland. Learned Prosecutor, on instructions, submitted that C.S.R which was issued on 11.03.2023 was closed on the same day. This means that there is no impediment for the petitioner to fly back to his motherland (Canada). The petitioner is here on a tourist visa. This submission is recorded.

7. We deem it appropriate to leave all other questions and all the rights and contentions of the petitioner, absentee, third respondent and all other



H.C.P.No.1020 of 2023

concerned open if there are collateral / connected proceedings in the days to come.

8. As this is not a case of illegal detention, we drop the curtains on the captioned HCP albeit with the above preservation of rights.

Captioned HCP disposed of as closed.

(M.S.,J.)

(R.S.V.,J.)

19.06.2023

gpa

To

1. The Commissioner of Police
Coimbatore City
Coimbatore
2. The Inspector of Police
Saravanampatti Police Station
Coimbatore
3. The Public Prosecutor
Madras High Court, Chennai



WEB COPY



H.C.P.No.1020 of 2023

M.SUNDAR, J.
and
R.SAKTHIVEL, J.

gpa

H.C.P.No.1020 of 2023

19.06.2023

Page Nos.5/5