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HCP No.1269 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2023

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR
and

THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

H.C.P.No.1269 of 2023

Latha
W/o.Michalraj

.. Petitioner

Vs.

1. The Commissioner of Police
Commissioner Office Campus
Coimbatore.

2. The Inspector of Police
E2 Peelamedu Police Station
Peelamedu, Coimbatore.

..Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus to direct the 2nd respondent to produce the petitioner's daughter Miss.Jenicia aged about 20 years before this Hon'ble Court and set her at liberty.

For Petitioner	:	Mr.S.Jayaseelan
For Respondents	:	Mr.E.Raj Thilak Additional Public Prosecutor



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ORDER

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

After some arguments, Mr.Jayaseelan, learned counsel on record for petitioner sought leave of this Court to withdraw the captioned 'Habeas Corpus Petition' [hereinafter 'HCP' for the sake of brevity] but made a plea to preserve all the rights and contentions of the petitioner and / or anyone concerned for the petitioner's daughter (absentee) as this Court is informed by learned Prosecutor that it is not a case of illegal detention and absentee who has left home on her own volition has moved Madurai Bench of Madras High Court vide CrI.O.P.(MD) No.11913 of 2023.

2. This Bench is informed that this CrI.O.P.(MD) No.11913 of 2023 has been disposed of by a Hon'ble single Judge in and by an order dated 30.06.2023 *inter alia* directing the Inspector of Police, Kuruvikulam Police Station, Kuruvikulam, Tenkasi District to issue summons to the petitioner and counter party (as regards this HCP absentee and HCP petitioner). A scanned reproduction of the order dated 30.06.2023 made in CrI.O.P.(MD) No.11913 of 2023 (as placed before us) is as follows:



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HCP No.1269 of 2023



C.O.P.CMD No.1269 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.06.2023

CORAM:

THE HONOURABLE Mr. JUSTICE G.ILANGOVAN

C.O.P.CMD No. 1269 of 2023

Jenolya

..... Petitioner

Vs.

1. The Superintendent of Police,
Office of the Superintendent of Police,
Tenkasi,
Tenkasi (Dist)
2. The Inspector of Police,
Kattuvikulam Police Station,
Kattuvikulam,
Tenkasi (Dist)

3. Michael raj

..... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to issue a direction directing the 2nd Respondent to provide adequate Police Protection to the Petitioner and her husband namely Nandhakumar S/o. Thangamariyappan based on the Representation dated 19.06.2023.

For Petitioner

Mrs.V.Selvakumar

For Respondent

Mr. B. Nambiselvan
Additional Public Prosecutor

10216425431000

10/7/23



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HCP No.1269 of 2023

ORDER

This Criminal Original Petition is filed to issue a direction, directing the 2nd Respondent to provide adequate Police Protection to the Petitioner and her husband namely Nandhakumar S/o. Thangamariyappan based on the Representation dated 19.06.2023.

2. The learned Additional Public Prosecutor would submit that inter-caste marriage was performed by the petitioner with one Nandhakumar, who belongs to another community. Therefore, there was a life threat from the family members.

3. Let the above said representation that was made by the petitioner be enquired by issuing summons to the petitioner and the counter party and conclude the same within a period of one week, by the second respondent, finding out the ground situation and also knowing the alleged threat to the petitioner either on the hands of the private respondents or any other party



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Case No. 1269 of 2023

4. With the above said direction, this Criminal Original Petition is dismissed.

30.06.2023

NCC : Yes / No
Index : Yes/No
Internet:Yes/No

per.

To

1. The Superintendent of Police,
Officer of the Superintendent of Police,
Tenkasi,
Tenkasi (Dist)
2. The Inspector of Police,
Kuruvikulam Police Station,
Kuruvikulam,
Tenkasi (Dist)
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

3. Learned counsel has made an endorsement in the case file and a scanned reproduction of the same is as follows:



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To

1. The Commissioner of Police
Commissioner Office Campus
Coimbatore.
2. The Inspector of Police
E2 Peelamedu Police Station
Peelamedu, Coimbatore.
3. The Public Prosecutor
High Court, Madras.



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HCP No.1269 of 2023

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

mk

H.C.P.No.1269 of 2023

17.07.2023