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H.C.P.No.1589 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

and

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

H.C.P.No. 1589 of 2023

Barekkallen

.. Petitioner

VS.

1.The Superintendent of Police
Krishnagiri, Krishnagiri District.

2.Inspector of Police
AWPS, Denkanikottai
Krishnagiri District.

3.Kumar

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus directing the 2nd respondent herein to produce the petitioner's minor child namely B.Bharathi aged 17 years before this Hon'ble Court from the custody of the 3rd respondent and hand over to the petitioner.

For Petitioner ..

Mr.N.Sudharsan

For Respondents ..

Mr.A.Gokulakrishnan

Additional Public Prosecutor



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ORDER

(Order of the Court was made by R.SURESH KUMAR, J)

The prayer sought for herein is to direct the 2nd respondent herein to produce the petitioner's minor child namely B.Bharathi aged 17 years before this Court from the custody of the 3rd respondent and hand over to the petitioner.

2. Today when the HCP is taken up for hearing, Mr.A.Gokulakrishnan, learned Additional Public Prosecutor appearing for the respondent police has produced the detainee viz., B.Bharathi. We have interacted with her. She said that she wants to continue her studies as she has already completed +2. However, the petitioner ie., her father wanted her to get married. Since the detainee does want to marry now as she is only 17 years old and she wants to continue her studies, got annoyed with the said attitude on the part of the petitioner, she claimed to have gone to her aunt's house at Denkanikottai, where she has been staying for some time, from where she has been brought before this Court, she said.

3. We have also interacted with the petitioner ie., the father of the detainee, who was also present before this Court. He said that in fact he



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wanted to put her in a training for tailoring for which fee has also been paid and she also was willing to join in the training. He further stated that he never compelled her to marry and he had no idea to compel her to marry even now. He would also submit that unless she wishes to marry, that too after becoming major, neither he nor his wife will compel her to marry.

4. The said statement given by the petitioner is taken on record. Ultimately, the petitioner wants to go with the petitioner ie., the detenue's father. The detenue is permitted to go with the petitioner ie., her father who can take care of her and her wishes also. With this observation, this H.C.P., is closed.

[R.S.K, J.] [K.B., J.]
25.08.2023

Index : Yes/No
Internet : Yes/No
KST

To

1.The Superintendent of Police
Krishnagiri, Krishnagiri District.

2.Inspector of Police
AWPS, Denkanikottai
Krishnagiri District.



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AND
K.KUMARESH BABU, J.,
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