



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 15.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR
and
THE HONOURABLE MR.JUSTICE SUNDER MOHAN

H.C.P.No.1976 of 2023

Mr.G.Selvaraj

...Petitioner/Father of the Detenue

Vs.

- 1.The State represented by
The Commissioner of Police,
Veppery,
Chennai.
2. The Inspector of Police,
P5, M.K.B. Nagar Police Station,
Vysarpadi, Chennai.

3. Moinuddin Muhammaed

...Respondents

Prayer : Petition filed under Article 226 of the Constitution of India in the nature of Writ of Habeas Corpus directing the 1st and 2nd respondents to produce the body or in person of detenue S.Jeyanandhini, daughter of



G.Selvaraj, aged about 19 years before this Court from the illegal custody of the third respondent and set her at liberty.

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For Petitioner : M/s.S.Kingston Jeorld

For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor
for R1 and R2

Mr.G.Raino Philip
for R3

ORDER

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

The petitioner is the father of the detainee, who is a major and has come up with this Habeas Corpus Petition to produce the detainee before this Court from the custody of the 3rd respondent, and to set her at liberty.

2. The case of the petitioner is that his daughter was missing from 04.09.2023. It is his further case that his son received a WhatsApp voice message from his daughter's mobile number saying that she is interested in marrying a person whom she had met online.

3. After filing this Habeas Corpus petition and as per the direction of this Court dated 30.10.2023, the daughter of the petitioner was produced before this



Court today. Though it is stated in the petition that the petitioner was unable to contact his daughter and her whereabouts were not known to the petitioner, the daughter states that her father contacted her and it was due to the threatening calls made by the neighbours of her father, she is unable to go to her father's house. The detinue has stated that she has married a person by name Moinuddin Muhammaed in Andhra Pradesh. She also stated that she is happy with her husband and that she is now pregnant.

4. In her statement, this Court finds that she is not in illegal custody as alleged by the petitioner. Though the petitioner states that he has invited the detinue and her husband, the detinue has an apprehension not from her father but from the friends of her father. In these circumstances, we are unable to pass any further orders or directions.

5. Therefore, in view of the fact that the detinue is not in illegal custody, this Habeas Corpus Petition is closed.

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

15.11.2023

Internet : Yes

Neutral Citation : Yes / No

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S.S. SUNDAR, J.
and
SUNDER MOHAN, J.
dk

To

1. The Commissioner of Police,
Veppery,
Chennai.
2. The Inspector of Police,
P5, M.K.B. Nagar Police Station,
Vysarpadi, Chennai.

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