



WEB COPY



H.C.P.No.1977 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2023

CORAM :

THE HON'BLE MR. JUSTICE S.S.SUNDAR
AND
THE HON'BLE MR.JUSTICE SUNDER MOHAN

H.C.P.No.1977 of 2023

P.Prabhakaran .. Petitioner

v.

1. The Superintendent of Police
Erode District, Erode

2. The Inspector of Police
Vellithiruppur Police Station
Erode District

3. Mr.Ramu .. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Habeas Corpus, directing the respondents to produce the body of the petitioner's lover / best friend detainee namely Ms.Vaishnavi, (F/22), D/o Ramu aged about 22 years before this Hon'ble Court from the illegal custody of the 3rd respondent and set her at liberty.



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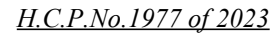
For Petitioner :: Mr.R.Sankarasubbu
For Respondents :: Mr.E.Raj Thilak
Additional Public Prosecutor
assisted by Mr.C.Aravind, Advocate
for R1 & R2

ORDER

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

The petitioner is a close friend of the detenue. He also states that the petitioner and the detenue were in love with each other and decided to get married. The detenue has completed 22 years and she is also a diploma holder. The petitioner is also an engineering graduate, who has also secured a job and the credentials of the petitioner is impressive, as he could secure a decent job with a decent pay structure with future prospects.

2. The case of the petitioner is that when the petitioner and the detenue decided to marry and informed their parents, the parents of the detenue did not accept the marriage proposal and compelled her to marry someone. It is in these circumstances, the detenue appears to have left her parental home on 29.09.2023 and started living in the petitioner's house



3. Upon notice being ordered to the third respondent, father of the
ue, the father and mother of the detainee were present before this Court
0.10.2023. The detainee was also secured and produced before this
on that date. On enquiry, we found that the detainee had some
ations to go with the parents, though she was not against her parents.
the petitioner was not present, this Court wanted the counsel
ring for the petitioner to produce the salary certificate and furnish the
s of employment to ensure that the detainee will be safe, as she
ssed her willingness to go with the petitioner. Since the detainee
ed to go with her parents, on strong apprehensions, that her parents will



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go to the extent of killing her, this Court, at the expense of the petitioner, directed the detinue to be kept in a private home.

4. Today when the detinue is again present before this Court, she expressed her willingness to go with the petitioner. The detinue also says that she had acquaintance with the petitioner for a long time from her school days; that they are loving each other; but somehow, they decided to report their parents that they are prepared to get married. The learned counsel for the petitioner also submitted before this Court that the petitioner and the detinue have fixed their marriage and the learned counsel also undertakes that the petitioner will produce the marriage certificate and report on 08.11.2023.

5. In these circumstances, this Court, having been convinced with the apprehensions of the detinue, expects the petitioner to ensure her safety from his end. Since the parents of the petitioner have agreed for the marriage, the respondent police may also provide protection to the extent possible, at the request of the petitioner, anytime they want. Therefore, this



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Court, recording the fact that the detinue is now prepared to go with the petitioner, dispose of this petition with an observation that the petitioner may appear before this Court to show the marriage certificate, as undertaken by the learned counsel for the petitioner, for the purpose of recording compliance.

Post the matter on 08.11.2023.

Index : yes/no

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

(S.M.,J.)

Neutral citation : yes/no

31.10.2023

Issue copy on 01.11.2023

SS

To

1. The Superintendent of Police
Erode District, Erode
2. The Inspector of Police
Vellithiruppur Police Station
Erode District
3. The Public Prosecutor
High Court, Madras



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AND

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