



WEB COPY



HCP.No.2257/2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2023

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

HCP.No.2257/2023

Chandrasekar

... Petitioner

Vs.

1.The Superintendent of Police
Superintendent of Police Office
Krishnagiri Town, Krishnagiri District.

2.The Inspector of Police
Thally Police Station
Krishnagiri District.

... Respondents

Prayer : Habeas Corpus Petition filed under Article 226 of the Constitution of India, to direct the 2nd respondent herein to produce the body or person of the petitioner's daughter by name Hemala @ Hemalatha aged about 18 years before this Court and set her at liberty and restore her to the custody of the petitioner herein.

For Petitioner
For Respondents

: Mr.D.Sivashanmugam
: Mr.E.Raj Thilak
Additional Public Prosecutor



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ORDER

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

- (1)The petitioner, father of the detainee Hemala @ Hemalatha, has filed the present petition to cause production of his daughter before this Court and to hand over her custody to him.
- (2)The case of the petitioner is that his daughter/detainee, a major, was found missing from 31.10.2023 ; that on the basis of the complaint given by the petitioner, a case has been registered in Crime No.316/2023 under "Woman Missing" on 01.11.2023.
- (3)The learned Additional Public Prosecutor on instructions states that the detainee along with another person, namely, Arumugam, appeared before the Superintendent of Police, Krishnagiri District and reported that, she on her own volition had gone out of her parental home and had married Arumugam on 01.11.2023.
- (4)It is in this circumstance, this Court is of the view that it is not a case of illegal detention.



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(5) Hence, the 2nd respondent police is directed, within a period of four weeks from the date of receipt of a copy of this order, with due intimation to the petitioner, to produce the detainee Hemala @ Hemalatha before the learned Judicial Magistrate, Denkanikottai, who shall record the statement of the detainee and pass orders.

(6) This Habeas Corpus Petition stands **disposed of with the above direction.**

[S.S.S.R., J.] [S.M, J.]
22.11.2023

AP
Internet : Yes

To

1. The Superintendent of Police
Superintendent of Police Office
Krishnagiri Town, Krishnagiri District.
2. The Inspector of Police
Thally Police Station
Krishnagiri District.
3. The Public Prosecutor, High Court, Madras.



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

AP

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