



HCP (MD) No.45 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.07.2023

CORAM

THE HONOURABLE MR.JUSTICE M.S. RAMESH
AND
THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

HCP(MD).No.45 of 2023

A.Velumani

: Petitioner

Vs

1.The Inspector of Police,
Kottampatti Police Station,
Madurai District

2.The Superintendent of Police
O/o.The Superintendent of Police,
Madurai District
Madurai.

: Respondents

Prayer : Habeas Corpus Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Habeas Corpus to direct the respondents 1 and 2 to produce the person or body of the petitioner's daughter A.Selvamani, D/o.ARumugam, aged 23 years before this Court and set her at liberty.

For Petitioner : Mr.P.Subbiah

For Respondents : Mr.RMS.Sethuraman
Additional Public Prosecutor



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ORDER

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

The petitioner is the father of one A.Selvamani, who is admittedly aged about 23 years. When his daughter had gone missing from 16.10.2022, he had given a complaint before the first respondent, which was registered in Crime No.315/2022 as 'woman missing'. It is in this background, the present petition has been filed.

2.The learned Additional Public Prosecutor, on instructions from the first respondent, submitted that after the petitioner's daughter had left their house, she had married one Arumugam on 16.10.2022 and right now she is pregnant. In support of such a claim, the learned Additional Public Prosecutor has produced the Reproductive Child Health Card (RCH Card) issued by the department of Family Welfare and the expected date of delivery is on 07.08.2023.

3. When the petitioner's daughter is a major and has taken a decision on her own to reside with the said Arumugam and is living with him, this Court



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in exercise of its power under Article 226 of the Constitution of India will not venture to entertain the prayer sought for in the present Habeas Corpus Petition. Accordingly, this petition is closed.

[M.S.R.,J] [M.N.K.,J]
17.07.2023

Index : Yes / No

Internet : Yes

RR

To

1.The Inspector of Police,
Kottampatti Police Station,
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2.The Superintendent of Police
O/o.The Superintendent of Police,
Madurai District
Madurai

3.The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.



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