



HCP(MD)No.19 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 23.01.2023

CORAM

**THE HON'BLE DR.JUSTICE G.JAYACHANDRAN
AND
THE HON'BLE MR.JUSTICE SUNDER MOHAN**

H.C.P.(MD)No.79 of 2023

P.Kannan

.. Petitioner /Father of the
Detenu

Vs.

1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.The Inspector of Police,
Melapalayam Police Station,
Tirunelveli District.

3.Syed Abdul Kadhar

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, directing the respondents 1 and 2 to produce the detenu or her body or in person namely Lakshmi Daranya, (aged about 29 years), daughter of the petitioner herein, before this Court, who is under the illegal custody of the respondent No.3 herein and set him at liberty.



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For Petitioner :Mr.K.R.Laxman
For R1 and R2 :Mr.R.Meenakshi Sundaram
Additional Public Prosecutor
For R3 :Mr.R.Susikumar

ORDER

DR. G.JAYACHANDRAN,J.
AND
SUNDER MOHAN,J.

This petition is filed by the father of the detenu alleging that his daughter aged about 29 years went missing from 22.11.2022 and on enquiry reveals that she had gone to the third respondent, who belongs different religion and he apprehends that there is a threat to his daughter's life.

2.The respondent police has secured the daughter of the petitioner and the third respondent. The Marriage Certificate No.301, issued by Al-Masjidur Rahman Jumma Mossque Shamath, Vasavapuram, Thoothukudi District, has been produced before this Court, which indicates that the daughter of the petitioner got converted to Islamic Religion and had married the third respondent.



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3.We enquired the detenu. She stated that she is a MCA Graduate and she is taken a decision to marry a person of her choice and she is happily living with the third respondent and she married the third respondent on her own wish.

4.Recording the statement of the daughter of the petitioner/detenu, nothing survives for adjudication in the Habeas Corpus Petition. Hence, this petition is dismissed.

(G.J.,J.) (S.M.,J.)
23.01.2023

NCC:Yes/No
Index:Yes/No
Internet:Yes/No
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Ns

To

- 1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
- 2.The Inspector of Police,
Melapalayam Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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