



HCP(MD)No.344 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 13.03.2023

CORAM

The Honourable Mr. Justice **R.SURESH KUMAR**
and
The Honourable Mr. Justice **K.K.RAMAKRISHNAN**

H.C.P.(MD)No.344 of 2023

A.Kaja Maiden

.. Petitioner / Father of the
detenue

Vs.

1.The State represented through
the Superintendent of Police
O/o.the Superintendent of Police,
Tenkasi.

2.The Inspector of Police,
Puliangudi Police Station
Puliangudi
Tenkasi District 627 855

3.Sarath

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus to direct the respondents 1 and 2 to produce the body or person of the petitioner's daughter namely Ikshana aged about 20 years before this Court and set her at liberty.



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For Petitioner : Mr.A.Mohamed Riyaz
For Respondents : Mr.E.Antony Sahaya
Prabahar
Additional Public Prosecutor

ORDER

[Order of the Court was made by **R.SURESH KUMAR, J.**]

This Habeas Corpus petition has been filed directing the respondents 1 and 2 to produce the person, ie., the detenue, who is the petitioner's daughter, namely, Ikshana, aged about 20 years before this Court and set her at liberty.

2.When this Habeas Corpus Petition was taken up for hearing today, the learned Additional Public Prosecutor appearing on behalf of the official respondents has submitted that the detenue has been secured and she is being produced before this Court.

3.When we enquired the detenue, namely, Ikshana, aged about 20 years, she stated that she fell in love with the third respondent, who is at Kerala and she had gone there with an intention to marry him. She further



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states that they have taken steps to perform their marriage in the manner known to law. However, the fact remains that so far no marriage has been taken place between the detenu and the third respondent.

4.The petitioner's father also present before this Court, who submits that he has not opposed the love affair of the detenu with the third respondent and his concern was that whether the marriage was conducted and whether the third respondent would take care of his daughter and that is why, this Habeas Corpus Petition, as the whereabouts of the detenu was not known to the petitioner for several months.

5.When we made further enquiry with the detenu, she would submit that for the present the detenu wants to go with her father, ie., the petitioner on the expectation that the petitioner's father would make arrangements for marriage of the detenu with the third respondent at an early date.

6.The said stand taken by the detenu has been recorded and for the said wish of the detenu, his father, ie., the petitioner also has agreed before this Court.



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7. Having recorded the afore-stated, we feel that this Habeas Corpus Petition can be disposed of with the following orders:

“That the detenu shall go with the petitioner, who shall take care of the detenu and to explore the possibility of arranging marriage with the third respondent as per the wish of the detenu as early as possible.

With this direction and observations, this Habeas Corpus Petition is disposed of.

(R.S.K.,J.) (K.K.R.K.,J.)
13.03.2023

Index : Yes/No

Internet : Yes

RR

To

Superintendent of Police

O/o.the Superintendent of Police,
Tenkasi.

2. The Inspector of Police,
Puliangudi Police Station
Puliangudi
Tenkasi District 627 855

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



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and
K.K.RAMAKRISHNAN,J.

RR

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