



HCP(MD)No.214 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 16.02.2023

CORAM

**THE HON'BLE DR JUSTICE G.JAYACHANDRAN
AND
THE HON'BLE MR JUSTICE K.K. RAMAKRISHNAN**

H.C.P.(MD)No.214 of 2023

Manimala

.. Petitioner / Mother of
the Detenu

Vs.

1.The Superintendent of Police,
Madurai District.

2.The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, directing the respondents herein to secure and produce the body or person of the detenu namely Keerthana, D/o.Murugan, aged about 21 years before this Court and set her at liberty.

For Petitioner :Mr.C.Senthil Murugan

For Respondents :Mr.R.Meenakshi Sundaram
Additional Public Prosecutor



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ORDER

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DR G.JAYACHANDRAN,J.
and
K.K. RAMAKRISHNAN,J.

The mother of 21 years old girl has given a complaint, on 28.01.2023 alleging that her daughter, who was studying nursing diploma course, staying in hostel, came home during Pongal festival, went missing.

2.According to the petitioner, on 28.01.2023, at about 07.30 a.m., the petitioner's daughter was found missing and her whereabouts were not known. Therefore, she gave a complaint to the second respondent and a case has been registered in Crime No.59 of 2023 and later, they called her family members and informed them that her daughter has eloped with one person from Pudukottai and staying with them. Also the petitioner's daughter has given a complaint to the Pudukottai Police Station stating that she, on her own, has left the home and married one Raja. Now her parents and relatives are after she and her husband belongs to a different community they are planning to kill them to save their honour. This was informed to the



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petitioner. The petitioner has not believed this version of the police. She believe firmly that her daughter might have not eloped with a person of different caste. With this averment, the present Habeas Corpus Petition is filed.

3.The respondent police has produced the complaint given by the daughter of the petitioner to Aranthangi All Women Police Station along with her Marriage Certificate given by the Association called “Bhagatsingh Anti-Caste/Religious Marriage Doers Welfare Association”, indicates that the daughter of the petitioner Keerthana and one Raja, S/o.Panneerselvam got married on 30.01.2023 as per the self-respect Marriage Form under Section 7(A) of the Hindu Marriage Act.

4.The statement of Keerthana and Raja has also been recorded indicating that the parents of Keerthana were arranging for her marriage to one of the relative by name Mahendran, not happy with that arrangement, Keerthana has eloped and married her lover. She has also expressed apprehension of honour killing by her parents.



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5. In view of the fact, the daughter of the petitioner is alive and not in any illegal custody against her wish, this Habeas Corpus Petition is dismissed.

(G.J.,J.) (K.K.R.K.,J.)
16.02.2023

NCC:Yes/No

Index:Yes/No

Internet:Yes/No

To

1. The Superintendent of Police,
Madurai District.

2. The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.

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



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