



H.C.P.(MD) No.318 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 17.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

AND

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

H.C.P.(MD)No.318 of 2023

G.Parimala

... Petitioner / Mother of the Detenue

Vs.

1.The Superintendent of Police,
Office of the The Superintendent of Police,
Ramanathapuram.

2.The Inspector of Police,
R.S.Mangalam Police Station,
R.S.Mangalam, Ramanathapuram.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 herein to produce the body or person of detenue namely, Sangavi, D/o. Gopal, aged about 22 years herein before this Hon'ble Court and set her at liberty.

For Petitioner : Mr.S.Arunnithy

For Respondents : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor



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ORDER

(Order of the Court was made by ***R.SURESH KUMAR, J.***)

This Habeas Corpus Petition has been filed seeking a direction to the respondents to produce the body or person of detainee namely, Sangavi, D/o. Gopal, aged about 22 years, before this Hon'ble Court and set her at liberty.

2. Pursuant to the notice ordered in this matter, when the Habeas Corpus Petition, at the instance of the learned Additional Public Prosecutor appearing for the respondents, is taken up for hearing, respondent police has produced the detainee, namely, Sangavi, daughter of Gopal, aged about 22 years. When we enquired her, she stated that, she left the parental home on 31.01.2023 and married one Yuvaraj at a Temple at Sathankulam on 31.01.2023 and since then, she has been residing in the matrimonial home at Sathankulam, where the parents of the Yuvaraj i.e., the father-in-law and mother-in-law of the detainee are taking care of the detainee and she further stated that the said Yuvaraj after marriage has gone to a foreign country for job and he would come back after getting leave and she is happy to live in the matrimonial home.



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3. When that being so, a request was made on behalf of the petitioner by the learned counsel Mr.S.Arunnithy that, the parents of the detainee are coming to the Court and they wanted to see her and to talk to her. However, the detainee is very firm in not seeing her parents and she do not want to see them and talk to them.

4. When that being so, since the detainee belongs to a particular caste and the said Yuvaraj, whom the detainee married belonged to another caste, hence, we do not want to create any atmosphere between these two families to meet or their family members to have any meeting at this juncture. Therefore, since the detainee is also not willing to meet her parents, the said request made on behalf of the petitioner by the learned counsel cannot be considered and granted.

5. By recording the aforesaid, as the detainee is a major and she already married Yuvaraj on 31.01.2023 and there is no illegal custody on the part of the detainee, this Habeas Corpus Petition is liable to be closed and accordingly is closed.

(R.S.K., J.) & (K.K.R.K, J.)
17.03.2023

NCC : Yes / No
Index : Yes / No
SJ

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R.SURESH KUMAR, J.

AND

K.K.RAMAKRISHNAN, J.

SJ

To

- 1.The Superintendent of Police,
Office of the The Superintendent of Police,
Ramanathapuram.
- 2.The Inspector of Police,
R.S.Mangalam Police Station,
R.S.Mangalam, Ramanathapuram.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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