



H.C.P.(MD) No.443 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

AND

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

H.C.P.(MD)No.443 of 2023

K.Thirumal

... Petitioner / Father of the Detenue

Vs.

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

2.The Inspector of Police,
Nagaiyapuram Police Station,
Madurai District.
(In Crime No.18 of 2023)

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents to produce the body or person of the petitioner's daughter, namely, Deepa, W/o.Vinoth, aged about 27 years before this Court and set her at liberty.

For Petitioner : Mr.T.Palanisamy

For Respondents : Mr.RMS.Sethuraman,
Additional Public Prosecutor



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ORDER

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

The petitioner, seeking production of his daughter, namely, Deepa, aged about 27 years, has filed this Habeas Corpus Petition.

2.The detenue is the daughter of the petitioner and she already got married seven years back with one Vinoth. Out of the wedlock there are two children. Despite that the detenue left the matrimonial home.

3.Today, when the matter is taken up for hearing, the detenue has been produced by the respondent Police before this Court. When we enquired, she stated that she is not interested in the family life, especially, physical relationship with her husband, namely, Vinoth and she is interested in different way of life with a female friend of the detenue and she wants to continue that life. Therefore, she left the matrimonial home and she is now staying at Coimbatore and claims to have working in a Mill for her livelihood.



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4. When we specifically asked her about the future of the two children, she is not interested in taking care of the children and she is also not interested to even see or converse with the petitioner, who is none other than the father of the detainee. She further stated that if the regular family life as desired either by the petitioner or by the husband of the detainee is insisted upon that would create mental status to go even for committing suicide and in order to avoid such kind of eventuality, the detainee states that she left and she claims that she is peacefully living.

5. In view of the said categorical statement given by the detainee, we are of the view that she is not in illegal custody at the hands of anyone. Hence, we feel that recording the aforesaid, this Habeas Corpus Petition can be closed, accordingly, it is closed.

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

28.04.2023

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

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R.SURESH KUMAR, J.

AND

K.K.RAMAKRISHNAN, J.

MYR

To

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

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