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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.04.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

H.C.P.(MD) No.450 of 2023

Murugan

... Petitioner

-VS-

1.The Superintendent of Police
Virudhunagar District

2.The Inspector of Police
Virudhunagar West Police Station
Virudhunagar

3.Alagar

... 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 to produce the person or body of the petitioner daughter / detenue Kalaiselvi, daughter of Murugan, aged about 28 years, before this Court and set her at liberty.



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For Petitioner : Mr.J.Vishnu

For Respondents : Mr.RMS.Sethuraman
Additional Public Prosecutor for R1 & R2

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

The complaint of the petitioner is that his daughter has eloped with the third respondent, who is his brother's son.

2. Learned Additional Public Prosecutor appearing for the respondents 1 and 2 has produced a letter, dated 20.03.2023, addressed by the petitioner's daughter to the Inspector of Police, Virudhunagar West Police Station, stating that she has married the third respondent and they are living at Hyderabad. Address and phone number of the petitioner's daughter have also been disclosed in the said letter. Photographs showing them living as husband and wife have also been produced.

3. Though the learned counsel for the petitioner would submit that the third respondent is within the prohibited degree of relationship and



the marriage is invalid, the petitioner's daughter being a major, we do not think we can entertain this habeas corpus petition, more so, when she is living with someone she likes on her own volition.

4. Hence, the habeas corpus petition is dismissed.

[R.S.M., J.]

[L.V.G., J.]

05.04.2023

Index : Yes / No
Internet : Yes / No

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To:

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



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R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

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