



H.C.P.(MD) No.451 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

AND

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

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Mahadeva Sivaraman

... Petitioner / Father of the Detenue

Vs.

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

2.The Inspector of Police,
Kalakkadu Police Station,
Kalakkadu, Tirunelveli District.
(CSR.No.13 / 2023)

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the 2nd respondent to produce the body or corpus of the petitioner's daughter, namely, Muthumari, D/o.Mahadevasivaraman, aged about 21 years before this Court and set her at liberty forthwith.

For Petitioner : Mr.PM.Vishnuvarthanan

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, Muthumari, aged about 21 years, has filed this Habeas Corpus Petition.

2.The detenue, namely, Muthumari has been produced before this Court by the respondent Police.

3.The detenue has stated before us that she fell in love with a boy, namely, Vinoth, who is the Diploma holder in Engineering and has been working at Coimbatore. The detenue is studying 2nd year of P.G., course ie., M.Com. It is the complaint of the detenue that her parents wanted to fix marriage of the detenue with a boy, who is the relative, but the detenue does not wish to marry him. Therefore, though she expressed her desire to marry a boy with whom she fell in love, that was not accepted by the parents of the detenue. Therefore, the detenue claimed that she left the parental home and she is residing in a Working Women Hostel at Chennai, where she claimed to have working in a Company as of now.



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4. Therefore, she very affirms that she does not want to marry the boy with whom her parents fixed the marriage of the detainee and in this context since the detainee has not married the boy with whom she fell in love and she can wait for the concurrence of her parents and despite this if they do not come forward to give concurrence and permit the detainee to marry as per her wish, she will marry only the boy with whom she fell in love. Therefore, the detainee stated that she was not in illegal custody with anyone and on her own volition only, she left the parental home and presently, she is residing at Chennai.

5. In view of the aforesaid, we feel that this Habeas Corpus Petition, having recorded the said statement given by the detainee, can be closed, since the detainee is not in illegal custody or under compulsion of anyone, accordingly, it is closed.

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

24.04.2023

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,
Tirunelveli District, Tirunelveli.

2.The Inspector of Police,
Kalakkadu Police Station,
Kalakkadu, Tirunelveli District.

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

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