



H.C.P.(MD) No.477 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 25.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

AND

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

H.C.P.(MD)No.477 of 2023

A.Nallapandi

... Petitioner / Grand Mother of
the detenue

Vs.

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Assistant Commissioner of Police,
Therkuvassal,
Madurai City,
Madurai.

3.The Inspector of Police,
Keeraithurai Police Station,
Madurai City.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents herein to produce the body or person of petitioner grant daughter namely Rasikapriya / Detenue, aged about 17 years D/o. Jeyaraman, before this Hon'ble Court and handover the detenue to custody of the petitioner.



H.C.P.(MD) No.477 of 2023

For Petitioner : Mr.B.Santhanam Rajeshkumar

For Respondents : Mr.R.M.S.Sethuraman
Additional Public Prosecutor

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 herein to produce the body or person of petitioner's grant daughter namely Rasikapriya / detenue, aged about 17 years D/o. Jeyaraman, before this Court and handover the detenue to the custody of the petitioner.

2. The detenue is a minor girl, aged about 17 years, and when she was studing +2, she discontinued the course and she had gone to Tiruppur with help of one Gowtham at Tiruppur, who claims to be working in a company and who is also only 21 years old, and she claims that, she has been residing in a relative's house of the said Gowtham.

3. The detenue also would state that, she wants to continue her studies and since the petitioner, who is the grand-mother of the detenue, and other



H.C.P.(MD) No.477 of 2023

family members started the marriage talks for the detainee to marry one relative boy, which she does not want, she claims to have left the parental home.

4. We have also heard the said Gowtham, who has also come before this Court and he would submit that, he never made any proposal to the detainee to marry her and if at all it is her proposal, she has to wait till she reaches the majority and if she want to continue her studies, the detainee could not be disturbed by any one, he contended.

5. The petitioner also appeared before this Court. She said that, she will take care of the detainee and whatever the study she wants to continue, let her continue and after completing her studies, at the wish of the detainee, the proposal for marriage would be taken, that too, according to the wish of the detainee and therefore, there would be no compulsion on the part of the petitioner or any family members towards the detainee to marry any person, including her relative boy.



H.C.P.(MD) No.477 of 2023

6. The aforesaid statements given before us by the detinue, the said

Gowthan as well as the petitioner has been taken on record. In view of the aforesaid, since the detinue wants to go with the petitioner, who is the grand-mother of the detinue, for the present, we allow the detinue to go with the petitioner on condition that the petitioner and the other family members should not insist the petitioner to marry their relative boy and they should make all arrangements for the detinue to continue the studies.

7. With these observations and directions, this Habeas Corpus Petition is closed.

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

25.04.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

SJ

To

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Assistant Commissioner of Police,
Therkuvassal,
Madurai City,
Madurai.

4/6



H.C.P.(MD) No.477 of 2023

- 3.The Inspector of Police,
Keeraithurai Police Station,
Madurai City.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



H.C.P.(MD) No.477 of 2023

R.SURESH KUMAR, J.

AND

K.K.RAMAKRISHNAN, J.

SJ

H.C.P.(MD)No.477 of 2023

25.04.2023