



H.C.P.(MD) No.519 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

AND

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

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K.Ravishankar

... Petitioner / Father of
the detenuue

Vs.

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

2.State rep. by
The Inspector of Police,
Thuvakkukudi Police Station,
Trichy.

...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 / person of petitioner's daughter Ms.Kirshika, aged 19, D/o. Ravishankar and set her at liberty.

For Petitioner : Mr.L.K.Charles Alexander



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For Respondents : Mr.RMS.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 to produce the body / person of Ms.Kirshika, aged 19, D/o. Ravishankar before this Court and set her at liberty.

2. The detainee viz., Kirshika has been produced before this Court by the respondent police. She has stated that her date of birth is 22.10.2004, therefore, she has already become major. She completed +2, thereafter, she wanted to join in a College to continue her studies, but, in the meanwhile since there has been a marriage proposal from the petitioner's side i.e., parents of detainee side, which she does not like, she left the parental home and had been residing at BHELL Lamdri Hostel, Trichy – 12 and for the livelihood she claimed to have joined in a Super Market attached with the LIC of Trichy, where she claimed to have been getting a sum of Rs.500/- per day, therefore, the average salary would be more than Rs.10,000/- per



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month and with that amount the detainee girl wants to pursue her studies and look after her life.

3. In this context, even though she claimed to have fell in love with a boy called Vallarasu, who is also claimed to have been working in Tiruchirappalli itself and this factor known to the family of the said boy, as of now, it is the claim of the detainee that she has not married the boy and she wants to study continuously but she does not want to return back to parental home and even to have a contact with them.

4. Though it was submitted by the learned counsel appearing for the petitioner that the petitioner / father wants to see the detainee girl, we feel that, since the father has not come today, at any time he can make an attempt to see the girl i.e., the detainee girl as both are residing at Tiruchirappalli only, but when such an attempt is made, if the same is repulsed by the detainee girl, no coercive step shall be taken by the petitioner in the guise of visiting the detainee.



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5. With these observations and taking note of the aforestated facts

and recording the same, this Habeas Corpus Petition is closed.

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

02.06.2023

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

To

- 1.The Commissioner of Police,
Trichy City,
Trichy.
- 2.The Inspector of Police,
Thuvakkukudi Police Station,
Trichy.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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R.SURESH KUMAR, J.

AND

K.K.RAMAKRISHNAN, J.

SJ

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