



H.C.P(MD)No.559 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.05.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

H.C.P(MD)No.559 of 2023

Anandh Kuamar

... Petitioner

Vs.

1.State represented by,
The Inspector of Police,
S.S.Colony Police Station,
Madurai City.

2.Boopathi

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the first respondent to produce the person or body of the detenu, XXXX, D/o.Boopathi, aged about 21 years, before this Court and set her at liberty.

For Petitioner

: M/s.A.Rajini

For R – 1

: Mr.S.Ravi

Additional Public Prosecutor



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ORDER

[Order of the Court was made by **M. DHANDAPANI, J.**]

The petitioner claimed that he is a fiance of the detenu and he apprehends that the second respondent illegally detained the detenu without her consent, thereby the present Habeas Corpus Petition is filed.

2.Pursuant to the notice, the detenu was produced before this Court and this Court interacted with the detenu.

3.The detenu categorically stated that she had developed a friendship with the petitioner through Instagram without any ill motive. However, taking advantage of the same, the petitioner filed the present petition and she claimed that she did not have any affiliation with the petitioner and it is only purely an Instagram friendship and nothing more, nothing less.



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She further stated that during their friendship, photos were taken by the petitioner and the same will be misused by the petitioner in future. Accordingly, she prayed to delete the photos.

4.The petitioner appeared before this Court and he admitted that there is no illegal relationship between them and it is only purely a friendship. However, mere apprehension, the present Habeas Corpus Petition is filed and he agreed to delete all the photos and he undertakes that he will not interfere with the life of the detenu in future. The petitioner's cell phone is handed over to the technical person attached to this Court and the technical person has also deleted all the photographs in relation with the detenu.

6.The statements made by the petitioner and the detenue are recorded.



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7. Accordingly, this Habeas Corpus Petition is dismissed. However, if the petitioner try to interfere with the future life of the detenu, liberty is granted to the law enforcing agency to take appropriate action as against the petitioner.

[M.D.I., J.] & [R.V., J.]
04.05.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps/cmr



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To

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Madurai City.

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



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