



H.C.P.(MD)No.674 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 30.06.2023

CORAM

The Honourable Mr. Justice **R.SURESH KUMAR
and
The Honourable Mr. Justice **K.K.RAMAKRISHNAN****

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Akila

**.. Petitioner / mother of
the detenue**

Vs

- 1. The Superintendent of Police,
Trichy District.**
- 2. The Inspector of Police,
Manikandam Police Station,
Trichy District.**
- 3. Manikandan**

... Respondents

**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
body or person of the detenue/petitioner's daughter namely Gayathiri,
D/o.Kannan, aged 20 years before this Court and set her at liberty.**



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For Petitioner : Mr.K.P.Narayanakumar
For Respondents : Mr.RMS.Sethuraman for
R1&R2
Additional Public Prosecutor
Mr.M.Sridharan for R3

ORDER

[Order of the Court was made by **R.SURESH KUMAR, J.**]

This Habeas Corpus Petition has been filed to direct the respondents to produce the person or body of the petitioner's daughter Gayathiri, D/o.Kannan 20 years old before this Court and hand over her custody to the petitioner.

2.When the case is taken up for hearing, the respondent police have produced the detainee. She stated before us that since she fell in love with the third respondent, she left her parental home and married him on 21.05.2023 and had been residing with him separately.

3.The date of birth of the detainee is 21.12.2003 and that of the third respondent is 24.11.2002. Therefore, the detainee is a major, whereas the third respondent has not completed the age of 21 years for



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the purpose of marriage. Therefore, any marriage, if at all as claimed by the detinue and the third respondent on 21.05.2023, that should be a void marriage. Therefore, in this context, it is open to the respondent police to take action in accordance with law.

4. Since the detinue is a major and she is not in the illegal custody of any one including the third respondent, recording the said statement of the detinue, we feel that this petition can be closed. Accordingly, it is closed.

(R.S.K.,J.) (K.K.R.K.,J.)
30.06.2023

Internet : Yes

RR

To

1. The Superintendent of Police,
Trichy District.
2. The Inspector of Police,
Manikandam Police Station,
Trichy District.
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.**

RR

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