



H.C.P.(MD) No.689 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 13.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

AND

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

H.C.P.(MD)No.689 of 2023

V.Sekar ... Petitioner / Father of the detainee

Vs.

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

2.The Inspector of Police,
Thirupallai Police Station,
Madurai.

... 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 person or body of the detainee, namely, Shobiya, aged about 19 years, D/o.V.Sekar before this Court and set her at liberty.

For Petitioner : Ms.P.Yasmin Begum

For Respondents : Mr.RMS.Sethuraman,
Additional Public Prosecutor



H.C.P.(MD) No.689 of 2023

ORDER

(Order of the Court was made by ***R.SURESH KUMAR, J.***)

The petitioner, seeking production of his daughter, namely, Shobiya, aged about 19 years, has filed this Habeas Corpus Petition.

2.Today, when the matter is taken up for hearing, the respondent Police has produced the detainee, namely, Shobiya before this Court, who has stated that she is doing 2nd year nursing course in a college in Madurai and before completing the course, the grandmother of the detainee has started marriage proposal for the detainee with the uncle of the detainee, which the detainee does not like. Therefore, she left the parental home and now, she stated that she wants to continue the course and till she completes the course, neither the grandmother nor the parents of the detainee shall take up the marriage proposal, especially with the uncle of the detainee. That is what the detainee wants.

3.The mother of the detainee has also come before this Court and stated that she and the petitioner ie., her husband / father of the detainee never asked the detainee about the marriage proposal and if at all anything



H.C.P.(MD) No.689 of 2023

stated by the grandmother, that need not be given much importance. As far as the parents of the detainee are concerned, she stated that they are ready and willing to give all support to the detainee to complete the course ie., nursing course and after completing the course and become a qualified nurse, let her take own decision with regard to the marriage.

4.The said assurance given by the mother of the detainee on behalf of parents is taken on record.

5.In view of the above, since the detainee is not in illegal custody at the hands of anyone and she also wants to pursue her studies, let her be taken by the parents and they must give full support to the detainee to complete the course.

6.With the said observation, this Habeas Corpus Petition is closed.

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

13.06.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
MYR



WEB COPY



H.C.P.(MD) No.689 of 2023

R.SURESH KUMAR, J.
AND
K.K.RAMAKRISHNAN, J.
MYR

To

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

H.C.P.(MD)No.689 of 2023

13.06.2023