



H.C.P.(MD) No.680 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

AND

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

H.C.P.(MD)No.680 of 2023

Samuthirakani

... Petitioner / Mother and Grand
Mother of the detenues

Vs.

1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.The Inspector of Police,
Kalakad Police Station,
Tirunelveli District.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents to secure and produce the person or body of the detenu namely (1) Banupriya, aged about 23 years, W/o. Dharmaraja and (2) Amirtha Sri, aged about 3 years, D/o. Dharmaraja before this Hon'ble Court and set them at liberty.

For Petitioner : Mr.S.Sathiya Chidambaram



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For Respondents : Mr.A.Thiruvadi Kumar
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 secure and produce the person or body of the detainees namely (1) Banupriya, aged about 23 years, W/o. Dharmaraja and (2) Amirtha Sri, aged about 3 years, D/o. Dharmaraja before this Court and set them at liberty.

2. The respondent police has produced the first detainee as well as the second detainee child. The first detainee said that, there had been some misunderstanding between her and her husband, with the result, for the past more than an year, she had been living with the first detainee's mother and even there i.e., the parental home, there had been some commotion between the mother and daughter i.e., mother of the first detainee and the first detainee, with the result, she had left the parental home and resided in a grandma's house, from where she had come and she wants to go with the petitioner, who is none other than the father of the first detainee and after



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some time after reconciliation between the first detainee and the husband of the first detainee, she may join in the matrimonial home. The said submissions made by the first detainee is taken on record.

3. Heard Mr.S.Sathya Chidambaram, learned counsel for the petitioner and Mr.A.Thiruvadi Kumar, learned Additional Public Prosecutor, appearing for the respondents.

4. In view of the aforesaid statement made by the first detainee, it is clear that the detainees are not in illegal custody at the hands of anyone. Therefore, recording the same, we feel that, this Habeas Corpus Petition can be closed, accordingly, it is closed.

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

12.06.2023

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



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R.SURESH KUMAR, J.

AND

K.K.RAMAKRISHNAN, J.

SJ

To

- 1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
- 2.The Inspector of Police,
Kalakad Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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