



HcP (MD)No.705 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.07.2023

CORAM

THE HONOURABLE MR.JUSTICE M.S. RAMESH
AND
THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

HCP(MD).No.705 of 2023

A.Arulkani

: Petitioner

Vs

1.The Superintendent of Police,
Theni District, Theni

2.The Deputy Superintendent of Police,
Uthammapalayam, Theni District

3.The Inspector of Police,
Cumbum South Police Station,
Theni District

: Respondents

Prayer : Habeas Corpus Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Habeas Corpus to direct the respondents to produce the body or person of the petitioner's daughter namely Vani Ravi D/o.Ravi aged about 21 years before this Court and set her at liberty.



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For Petitioner : Mr.P.Mahendran
For Respondents : Mr.RMS.Sethuraman
Additional Public Prosecutor

ORDER

(Order of the Court was made by M.S.RAMESH,J.)

This petition has been filed to direct the respondents to produce the body or person of the petitioner's daughter namely Vani Ravi D/o.Ravi aged about 21 years before this Court and set her at liberty.

2. When the petitioner's daughter went missing on 04.06.2023, the petitioner, who is the mother, had given a complaint. The third respondent police registered a case in Crime No.159/2023 on 08.06.2023 as 'woman missing'. Admittedly, the detenue herein is a major, who was pursuing her post graduate degree at Madurai. After filing of the present petition, the third respondent had traced the whereabouts of the detenue and today, she was physically produced before this Court. We had spoken with the detenue as well as her parents. Accordingly to the detenue, she had left her parental home to live with one K.Kannan, S/o.Karuppiah and had accordingly, married him, which marriage was also registered in Marriage



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S.No.TMR/Periamet/1320/2023 on 16.06.2023. A copy of the certificate of marriage was also produced before us. She further informed us that she intends to live with the said K.Kannan.

3. Since the detainee herein is a major and has expressed her views that she intends to live only with her husband, this Court, exercising its jurisdiction under Article 226 of the Constitution of India, will not be justified in entertaining the prayer sought for by the petitioner, even otherwise, the detainee's status along with her husband cannot be said to be an illegal detention. Hence, the Habeas Corpus Petition is closed.

[M.S.R.,J] [M.N.K.,J]
06.07.2023

Index : Yes / No
Internet : Yes
RR



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To

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- 2.The Deputy Superintendent of Police,
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- 3.The Inspector of Police,
Cumbum South Police Station,
Theni District
- 4.The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.



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