



H.C.P.(MD) No.736 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 23.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

AND

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

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Mary

... Petitioner / Mother of the detenue
Vs.

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Karaikudi Sub Division, Sivagangai District.
- 3.The Inspector of Police,
Sakkottai Police Station,
Sivagangai District.
- 4.Abru @ Neelakandan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents 1 to 3 to produce the body or person of the petitioner's daughter by name Lathika, D/o.Nadimuthu, aged about 19 years before this Court and set her at liberty.



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For Petitioner : Mr.A.Vignesh
For R1 to R3 : Mr.RMS.Sethuraman
Additional Public Prosecutor

ORDER

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

The petitioner, seeking production of her daughter, namely, Lathika, 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 girl before this Court. She stated before us that she completed Nursing course and she is working in a hospital at Karaikudi. While so, the petitioner and her husband ie., the parents of the detainee seems to have forced the detainee to accept for marriage proposal, which she did not like. Therefore, she wanted to go to the grandfather's house ie., maternal grandfather, for which the 4th respondent, who is none other than the maternal uncle, has taken her and even still she is willing to go and stay only with the grandfather and not to go with the petitioner ie., parental house.



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3. Since the detenu is a major and she is working independently, she can take a decision to stay at the grandfather's house. Therefore, we feel that the detenu is not in illegal custody at the hands of anyone including the 4th respondent. Accordingly, this Habeas Corpus Petition can be closed, therefore, it is closed.

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

23.06.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

MYR

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District.

2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Karaikudi Sub Division, Sivagangai District.

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K.K.RAMAKRISHNAN, J.

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3.The Inspector of Police,
Sakkottai Police Station,
Sivagangai District.

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

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