



H.C.P.(MD) No.740 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

H.C.P.(MD)No.740 of 2023

Annalakshmi

... Petitioner / Mother of the detenue
Vs.

- 1.The Commissioner of Police,
Office of the Commissioner of Police,
Madurai City.
- 2.The Assistant Commissioner of Police,
Office of the Assistant Commissioner of Police,
Thallakulam Division, Madurai City.
- 3.The Inspector of Police,
Sellur Police Station, Madurai City.
- 4.Bharath

... 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 Susi, D/o.Sundarapandi, aged about 21 years before this Court and set her at liberty.



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H.C.P.(MD) No.740 of 2023

For Petitioner : Mr.A.Vignesh
For R1 to R3 : Mr.RMS.Sethuraman
Additional Public Prosecutor
For Detenue : Mr.R.Senthil Kumar

ORDER

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

The petitioner, seeking production of her daughter, namely, Susi, aged about 21 years, has filed this Habeas Corpus Petition.

2.Today, when the matter is taken up for hearing, the respondent Police has produced the detenue girl before this Court. She stated before us that she is doing 4th year B.A., L.L.B., degree in Trichy Government Law College. She fell in love with the 4th respondent, who is none other than the close relative of the detenue. However, the parents of the detenue seems to have objected for such love affair with the 4th respondent. Resultantly, the detenue as well as the 4th respondent decided to marry and live together. Therefore, even though the detenue as well as the 4th respondent, who is also present before this Court, have stated that they married on 16.06.2023, it is



H.C.P.(MD) No.740 of 2023

to be noted that the 4th respondent's date of birth since is 17.08.2003, he has not completed 21 years, the marriage said to have been taken place on 16.06.2023 between these two cannot be accepted in the eye of law.

3.Be that as it may, insofar as the detenue is concerned, she stated that she, on her own volition, has gone with the 4th respondent. Since she become major already, she can take a decision to reside anywhere and she does not want to return back to parental home, as she apprehends that the parents of the detenue will compel her to marry on their choice.

4.In view of the same, by recording the aforestated as the detenue is not in illegal custody at the hands of anyone including the 4th respondent, this Habeas Corpus Petition can be closed, accordingly, it is closed.

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

23.06.2023

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

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H.C.P.(MD) No.740 of 2023

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

To

- 1.The Commissioner of Police,
Office of the Commissioner of Police,
Madurai City.
- 2.The Assistant Commissioner of Police,
Office of the Assistant Commissioner of Police,
Thallakulam Division, Madurai City.
- 3.The Inspector of Police,
Sellur Police Station, Madurai City.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

H.C.P.(MD)No.740 of 2023

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