



WEB COPY



HCP(MD)No.741 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.07.2023

CORAM

**THE HON'BLE MR JUSTICE M.S.RAMESH
AND
THE HON'BLE MR JUSTICE M.NIRMAL KUMAR**

H.C.P.(MD)No.741 of 2023

Safifullah

.. Petitioner

Vs.

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

2.The Inspector of Police,
Sethubavachathiram Police Station,
Thanjavur District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, directing the respondents 1 and 2 to produce the person or body of the detainee by name Samsath Begam, D/o.Safifullah, Female, aged 22 years before this Court and set her at liberty.

For Petitioner	:	Mr.D.S.Haroon Rasheed
For Respondents	:	Mr.RMS.Sethuraman, Addl. Public Prosecutor Mr.R.Vijaya Ragavan for Detenue's husband



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ORDER

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

When the petitioner's daughter viz., Samsath Begam, aged about 22 years went missing from the petitioner's house on 26.05.2023, he had given a complaint, which was registered in Crime No.148 of 2023, on 29.05.2023 as “woman missing”. Since there was no much progress in the investigation, he has filed the present Habeas Corpus Petition.

2. After notice being ordered, the second respondent herein had traced the whereabouts of petitioner's daughter and she was produced before us today. According to the second respondent, the petitioner had married one Sri Ragaventhiran, who is an Advocate by profession, on 27.05.2023 and she is now living with her husband in his place at Kanchipuram District.

3. We spoke with the petitioner's daughter and her husband as well as with the petitioner. As per the version of the petitioner's daughter and her husband, they had married each other on their own choices and wishes and they intend to live together in their own matrimonial house. This aspect was



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also appraised to the petitioner. When the petitioner's daughter had taken a conscious decision on her own will and accord and by taking into account of the fact that she is a major and that the present domicile with the said Sri Ragaventhiran cannot be termed as illegal detention, no further orders can be passed to the prayer sought for by the petitioner herein.

4. Accordingly, this Habeas Corpus Petition stands closed.

(M.S.R.,J.) (M.N.K.,J.)
07.07.2023

NCC : Yes / No
Index : Yes / No

vsm

To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Thanjavur District.
- 2.The Inspector of Police,
Sethubavachathiram Police Station,
Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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and
M.NIRMAL KUMAR,J.

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