



HCP (MD)No.901 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.07.2023

CORAM

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

HCP(MD).No.901 of 2023

Muthuparvathy

: Petitioner

Vs

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

2.The Inspector of Police,
Sankaralingapuram Police Station,
Thoothukudi District

3.Suryakumar

: 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 No.1 and 2 to produce the body or person of the petitioner's daughter namely Solaiselvi (Detenu), D/o.Jeyakumar aged about 20 years before this Court and set her at liberty.



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For Petitioner : Mr.M.Prabu
For Respondents : Mr.RMS.Sethuraman for R1 and R2
Additional Public Prosecutor

ORDER

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

When the petitioner's daughter Solaiselvi, aged about 20 years, went missing from her house on 14.07.2023 onwards, he had given a complaint to the 2nd respondent herein, which was registered on 15.07.2023 in Crime No. 26/2023 as 'woman missing'. The present Habeas Corpus petition has been filed for securing and production of the petitioner's daughter.

2.Today, when the matter was called, the learned Additional Public Prosecutor submitted that the petitioner's daughter had a love affair with the third respondent herein and she had also married him. Since the petitioner's daughter and the third respondent herein belong to different community, she fears the safety of their lives and therefore, she has also given a complaint on 16.07.2023 to the All Women Police Station, Kallakurichi seeking for police protection. Pursuant to the said complaint, CSR has also been issued in CSR No.433/2023.



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3. Admittedly, the petitioner's daughter is a major and as per the statement given to the All Women Police Station, Kallakurichi, she claims to have married the third respondent herein and has also sought for police protection. When a major girl has taken a conscious decision on her own free will and accord and had married the third respondent and is residing with them, this Court exercising its power under Article 226 of the Constitution of India will not venture to pass any further orders on the prayer sought for in the present Habeas Corpus Petition. Furthermore, the learned Additional Public Prosecutor would submit that the whereabouts of the petitioner's daughter and her marital status was also informed to the petitioner. Accordingly, this petition stands closed.

[M.S.R.,J] [M.N.K.,J]
21.07.2023

Index : Yes / No
Internet : Yes

RR



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Thoothukudi District
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.



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