



H.C.P.(MD) No.2105 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.01.2023

CORAM:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
AND
THE HON'BLE MR JUSTICE SUNDER MOHAN**

H.C.P.(MD) No.2105 of 2022

Muniyasamy

... Petitioner

-VS-

**1.The Commissioner of Police,
Madurai City.**

**2.The Inspector of Police,
Keerathurai Police Station,
Madurai City.**

3.Madanraj

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Habeas Corpus, directing the respondents 1 & 2 to produce the person or body of the petitioner's daughter detinue namely, Karthiga, (aged about 21 years) D/o.Muniyasamy before this Court and set her at liberty.



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For Petitioner : Mr.R.Udhayakumar
For R1 & R2 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor
For R3 : Mrs.P.Krishnaveni

ORDER

DR.G.JAYACHANDRAN,J.
AND
SUNDER MOHAN,J.

The father of the major girl aged 22 years has filed this habeas corpus petition alleging that his daughter is missing from 14.09.2022 and he suspect the third respondent and his associates for abducting her and keeping her in illegal custody.

2. The respondent police has investigated the matter and has found that the daughter of the petitioner has eloped with the third respondent and got married in a temple in the presence of their relatives and thereafter, went to the Oomachikulam police station at Madurai seeking protection from the petitioner apprehending that he may cause harm.



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3. The Oomachikulam Police has called the parents of the detenue and informed about the marriage of the detenue and third respondent. The petitioner and his wife has given a letter acknowledging their knowledge of the marriage of the detenue. However, this habeas corpus petition is filed suppressing those facts.

4. When the said fact was brought to the notice of this Court, the respondent police was directed to produce the detenue and third respondent before this Court. Accordingly, both the detenu and her husband are present today.

5. We enquired the girl. She says that she on her own left the home and married the third respondent in a temple. She is living with him happily. When this Court enquired why they have not properly registered the marriage, the third respondent states that the petitioner is withholding the Athar Card and ration card, which is require for registering the marriage. Once they get those documents from the petitioner, they will get their marriage registered.



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6. Recording the same, the habeas corpus petition is closed directing the petitioner to give the copy of the ration card and Aathar card of his daughter/detenuue enabling her to register the marriage.

[G.J.,J.] [S.M.,J.]
03.01.2023

Index : Yes / No
Internet : Yes / No
am

To

- 1.The Commissioner of Police,
Madurai City.
- 2.The Inspector of Police,
Keerathurai Police Station,
Madurai City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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