



HCP.No.1216 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.06.2024

CORAM

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

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

H.C.P.No.1216 of 2024

J.Vanaja

.. Petitioner

Vs.

1.The Commissioner of Police,
Avadi,
Chennai-600 054.

2.The Inspector of Police,
T-7, Tank Factory Police Station,
Avadi, Chennai-600 062.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, to direct the respondents to produce the petitioner's 22 years old daughter, J.Swathi, D/o.Jeeva and set her at liberty.



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For Petitioner : Mr.N.Suriyamuthu
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor
assisted by C.Aravind

ORDER

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

Complaining that the petitioner's daughter, aged about 22 years, was abducted by one Vinothkumar and had been kept under illegal custody, she lodged a complaint, which came to be registered in Crime No.260 of 2024 under the caption "women missing" by the second respondent police. Since there was no sufficient progress in the investigation, the present Habeas Corpus Petition has been filed.

2.Today, when the matter was called upon, the respondent police produced the petitioner's daughter before us. When we had interacted with her, she claimed that she was 22 years old and she had married one Vinothkumar, which was registered vide Marriage Sl.No.TMR/Periamet/11/2024, dated 05.01.2024, and a copy of the marriage



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certificate was also produced before us. The petitioner herein, who was also present before us, had interacted with us. During such interaction, she said that she has no intention of separating her daughter from her husband.

3. When the petitioner's daughter, who is a major, has taken a conscious decision to marry a person of her choice and is now living with him and has also expressed her opinion that she intends to live only with her husband, this Court, in exercise of its powers under Article 226 of the Constitution of India, will not venture to consider the prayer sought for. Since this is not a case of an illegal custody, no effective orders could be passed in the present Habeas Corpus Petition.

4. Accordingly, this Habeas Corpus Petition stands closed.

(M.S.R.,J.) (S.M.,J.)
07.06.2024

NCC : Yes / No
Index : Yes / No
Anu



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M.S.RAMESH,J.
and
SUNDER MOHAN,J.

Anu

To

1.The Commissioner of Police,
Avadi,
Chennai-600 054.

2.The Inspector of Police,
T-7, Tank Factory Police Station,
Avadi, Chennai-600 062.

3.The Public Prosecutor,
Madras High Court

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