



WEB COPY



HCP.No.2019 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

H.C.P.No.2019 of 2024

Kavitha

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Harur Sub-Division,
Dharmapuri District.

2.The Inspector of Police,
Morappur Police Station,
Dharmapuri District.

3.Prabhu

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, for directing the respondents herein to produce the daughter of the petitioner Gokila, aged about 20 years, before this Court and to set her Liberty.

For Petitioner

: Mr.C.Prabakaran

For R 1 & 2

: Mr.E.Raj Thilak

Additional Public Prosecutor

For R3

: Mr.T.R.Udayakumar



WEB COPY



HCP.No.2019 of 2024

ORDER

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

The Writ of Habeas Corpus has been instituted for directing the respondents herein to produce the daughter of the petitioner Gokila, aged about 20 years, before this Court and to set her at Liberty.

2.The petitioner is the mother of the detainee Gokila. Since the girl/detainee was missing, a complaint was lodged on 03.07.2024 before the 2nd respondent/Inspector of Police, Morappur Police Station, Dharmapuri District. During investigation, the police found that the detainee Gokila got married with one V.Prabhu, S/o.Vijay. The marriage between the 3rd respondent and the detainee was registered on the file of the Sub Registrar, Mylapore. The extract of Hindu Marriage Register along with the marriage certificate has been produced before this Court.

3.The detainee Gokila has addressed a letter to the Superintendent of Police, Dharmapuri District requesting for dropping of further action on the complaint filed by the petitioner.



HCP.No.2019 of 2024

WEB COPY

4.The learned Additional Public Prosecutor would submit that the detinue is now living with the 3rd respondent and she herself has written a letter to the District Superintendent of Police, Dharmapuri.

5. The learned counsel would also submit that the CrI.O.P.No.18095 of 2024 has been filed by the 3rd respondent along with his wife/detinue seeking directions to the respondents not to harass them. The petition filed under Section 482 Cr.P.C was disposed of by the learned Single Judge of this Court on 30.07.2024 with the following observations,

“2. The learned Government Advocate (Crl.Side) appearing from the respondent police on getting instructions from the Investigating Officer submits that complaint of woman missing was registered in Cr.No.161 of 2024 on 10.07.2024. In this connection, the parents of the petitioner were called. Later, investigation has disclosed that the complainant's daughter had eloped with the petitioner herein and married him. Therefore, it is contemplating to close the complaint.



HCP.No.2019 of 2024

WEB COPY

3. In view of the above, this Court finds no reasons to entertain this petition. Hence, this Criminal Original Petition is disposed of.”

6. In view of the fact that the detenue Gokila is not under illegal detention, but married the 3rd respondent, this Habeas Corpus Petition deserves no further consideration. Thus, the Habeas Corpus Petition is dismissed.

[S.M.S., J.]

[V.S.G., J.]

28.08.2024

Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

gd



WEB COPY



HCP.No.2019 of 2024

To

- 1.The Deputy Superintendent of Police,
Harur Sub-Division,
Dharmapuri District.
- 2.The Inspector of Police,
Morappur Police Station,
Dharmapuri District.
- 3.The Public Prosecutor,
Madras High Court.



WEB COPY



HCP.No.2019 of 2024

S.M.SUBRAMANIAM, J.
AND
V.SIVAGNANAM, J.

gd

H.C.P.No.2019 of 2024

28.08.2024