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H.C.P.No.2616 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.10.2024

CORAM :

THE HON'BLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE V.SIVAGNANAM

H.C.P.No.2616 of 2024

A.K.Jayakumar .. Petitioner

v.

1. The Superintendent of Police
Salem District, Salem

2. The State rep by its
The Inspector of Police
All Women Police Station
Vazhapadi, Salem District

3. S.Saravanan .. Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Habeas Corpus, directing the 2nd respondent to produce the petitioner's daughter Mrs.J.Rathidevi, aged about 23 years, before this Hon'ble Court, set her at liberty.

For Petitioner	::	Mr.P.Venugopal
For Respondents	::	Mr.E.Raj Thilak
		Additional Public Prosecutor for R1 & R2



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ORDER

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

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The writ of habeas corpus has been instituted to direct the second respondent to produce the petitioner's daughter Ms.Rathidevi, aged about 23 years.

2. The second respondent has filed a status report containing the following facts:-

“3. On 15.07.2004, Saravanan and Rathidevi also took refuge in the Salem District Superintendent of Police office seeking protection and they were sent from the Superintendent of Police office to Vazhapadi Women's Police Station.

4. Saravanan's parents came to the police station after informing both parents from Vazhapadi women's police station, but when Rathi Devi's parents talked to Rathidevi, they hung up the phone saying that they did not agree on the marriage and asked them to go somewhere. Saravanan's parents accepted this marriage and took both of them. In this regard, CSR No.16/2024 dt.15.7.24 has been posted.



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5. And in this regard, a case of man missing has been registered on the complaint lodged by the petitioner in Pattabiram Police Station, Chennai, that his daughter is missing and its case number is Crime No.428/2024 Pattabiram Police Station.

6. On 02.10.2024, when the all-women police inspector investigated, Rathi Devi told the investigation that Saravanan was happy and that she was two months pregnant and that she was well taken care of by her husband and his parents and when Rathi Devi was asked to talk to her parents on whatsapp video call, only her mother spoke and her father refused to speak.

7. And when Saravanan called and inquired, he said that he is taking good care of his wife and that his parents are also taking good care of him and that his wife is currently pregnant and the doctors said that he should not go too far as his wife is pregnant.”

3. The detinue married the third respondent and the family of the third respondent accepted the marriage and now she is living along with her husband in the in-law's house. She is refusing to go to the house of the



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petitioner, who is the father of the detenue. It is also brought to the notice of this Court that the detenue is pregnant as of now. Under these circumstances, we find that there is no illegal detention and consequently, the habeas corpus petition stands disposed of.

Index : yes

(S.M.S.,J.)

(V.S.G.,J.)

Neutral citation : yes/no

21.10.2024

ss

To

1. The Superintendent of Police
Salem District, Salem
2. The Inspector of Police
All Women Police Station
Vazhapadi, Salem District
3. The Public Prosecutor
High Court, Madras



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S.M.SUBRAMANIAM,J.

AND

V.SIVAGNANAM,J.

SS

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