



H.C.P.(MD).No.67 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 22.02.2024

CORAM

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
AND
THE HON'BLE MR.JUSTICE C.KUMARAPPAN**

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M.Amutha @ Anna Lakshmi

.. Petitioner/
Mother of the Detenue

Vs.

1.The Superintendent of Police,
Thoothukudi District.

2.The Inspector of Police,
SIPCOT Police Station,
Thoothukudi.

3.Santhanam

4.Sugesh

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, directing the first and second respondents to produce a person or body of the petitioner's daughter namely the detenue by name M.Durga Devi D/o.Murugan (aged 22 years) before this Court and set her at liberty forthwith.



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For Petitioner : Mr.S.Ashok
For R-1 & R-2 : Mr.RMS.Sethuraman
Additional Public Prosecutor

ORDER

DR.G.JAYACHANDRAN,J.
and
C.KUMARAPPAN,J.

The present Habeas Corpus Petition is filed by the mother of 22 years old girl, alleging that her daughter has eloped with the third respondent, who is none other than the paternal uncle of the petitioner and that they are having cordial relationship, which is prohibited under the Hindu law.

2. After notice, the respondent Police has secured the petitioner's daughter and the third respondent, with whom the petitioner's daughter is alleged to be living. The matter was referred to mediation by our predecessor.

3. The scope of the Habeas Corpus Petition is to produce the body or person of the detainee, if they are under any illegal custody. Now from the enquiry with the parties, this Court is convinced that the petitioner's



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daughter is not under any illegal custody. She is alive and on her own, she is with the third respondent. Hence, the Habeas Corpus Petition is closed.

However, the disposal of the Habeas Corpus Petition shall not stand in the way of any progress in the mediation proceedings, which has already been referred to by this Court.

(G.J.,J.) (C.K.,J.)
22.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm

To

- 1.The Superintendent of Police,
Thoothukudi District.
- 2.The Inspector of Police,
SIPCOT Police Station,
Thoothukudi.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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