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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:28.03.2024

CORAM:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
and
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

H.C.P.(MD) No.257 of 2024

T.Chandrabose

...Petitioner/Brother of the detenu

-VS-

1.The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram District.

2.The Inspector of Police,
Mudukulathur Police Station,
Ramanathapuram District.
(C.S.R.No.53 of 2024)

3.Santhosh

... Respondents

PRAYER : Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus directing the respondents 1 and 2 to produce the body of the Petitioner's sister namely, Kavya, aged about (22/2024), daughter of Thangaraj before this Court and set her at liberty.



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For Petitioner : Mr.T.Thirumurugan

For Respondents : Mr.RMS.Sethuraman
1 and 2 Addl.Public Prosecutor

For Respondent-3 : Mr.D.Venkadesb

ORDER

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

This habeas corpus petition has been filed by the sister of the detainee, directing the respondents 1 and 2 to produce the body of the Petitioner's sister namely, Kavya, aged about (22/2024), daughter of Thangaraj before this Court and set her at liberty.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The sister of the Petitioner, major, had fell in love with the third respondent, had eloped with him and got married. The marriage has been registered at Marriage Registrar's Office, Coimbatore North(Joint-I) on 6.2.2024. However, a complaint alleging abducting has been made and on the same line, this Habeas Corpus Petition is



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also filed.

4.Today, the respondents Police produced the sister of the Petitioner as well as the third respondent and the Marriage Registration Certificate was also produced. An enquiry on the third respondent indicates that he was in love with the Petitioner's sister for more than eight years and they got married and living separately.

5.In view of the fact that there is no element of forceful abduction of the sister of the Petitioner and that she has left the home on her own, this Court finds no merit in the Habeas Corpus Petition and hence, the same stands dismissed.

[G.J.,J.] [C.K.,J.]

28.03.2024

NCS : Yes/No
Index : Yes / No
Internet : Yes / No
vsn

To:

1.The Superintendent of Police,
Office of the Superintendent of Police,

3/5



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Ramanathapuram District.

- 2.The Inspector of Police,
Mudukulathur Police Station,
Ramanathapuram District.
(C.S.R.No.53 of 2024)
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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

vsn

ORDER MADE IN
H.C.P.(MD) No.257 of 2024

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