



H.C.P.(MD).No.289 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 11.03.2024

CORAM

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

H.C.P.(MD).No.289 of 2024

Subramani

... Petitioner/Father of the Detenue

Vs.

1.The Superintendent of Police,
Dindigul District.

2.The Inspector of Police,
Edayakottai Police Station,
Dindigul District.

3.Jegan

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, directing the respondents 1 and 2 to produce the body or person of the detenue namely Kaviya, D/o.Subramani, now aged about 22 years before this Court and set her at liberty.



For Petitioner : Mr.D.Venkatesh
For R-1 & R-2 : Mr.RMS.Sethuraman
Additional Public Prosecutor

ORDER

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

This Court, on 04.03.2024, after hearing the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents, passed the following order:

“The learned Additional Public Prosecutor submits that the petitioner's daughter eloped with the third respondent and they got married and living happily. The statements of the petitioner's daughter as well as the third respondent were recorded and the respondent Police is satisfied that it is a love affair which has made the petitioner's daughter, who is a major, to leave the home. It is also stated that the petitioner was called to Orathy Police Station, Chengalpattu District and informed about the same.

2. To confirm whether it was a voluntary elopement by the major girl, the respondent Police is directed to produce



the petitioner's daughter before this Court either in person or through video conference on 11.03.2024.

3. Post the matter on 11.03.2024.”

2. Today, the petitioner daughter and the third respondent are present before this Court. This Court enquired them separately. They both have stated that they had been in love for more than one year and since the parents did not agree for their marriage, they have eloped, got married and presently, living in Chennai near Lighthouse, Santhome.

3. After communicating with the petitioner's daughter and the third respondent, this Court is satisfied that it was a voluntary elopement by a major girl and also confirmed that the marriage was already known to the petitioner herein when he was called to Orathy Police Station on the surrender of the third respondent and the petitioner's daughter, Kaviya and her family was also in frequent touch with the girl over phone.



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4. In view of the above, the Habeas Corpus Petition is dismissed.

Though this Court has initially inclined to impose costs on the petitioner for suppression of facts, taking note of the status of the parties, there shall be no order as to costs.

(G.J.,J.) (C.K.,J.)
11.03.2024

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

To

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



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