



H.C.P.(MD) No.917 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2024

CORAM:

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

H.C.P.(MD) No.917 of 2024

C.Krishnasamy

... Petitioner

-VS-

1.The Superintendent of Police,
Tenkasi, Tenkasi District.

2.The Inspector of Police,
Uthumalai Police Station,
Tenkasi District.

3.Maruthupandiyar

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 & 2 to secure and produce the person or body of the detenu, petitioner's daughter namely Mathina, D/o.Krishnasamy, aged about 24 years before this Court and set her at liberty.



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For Petitioner : Mr.C.Iyyappa Raj
For R1 & R2 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor
For R3 : Mr.N.Anandkumar

ORDER

[Order of the Court was made by A.D.JAGADISH CHANDIRA, J.]

This Habeas Corpus Petition has been filed by the father of the detenu seeking to produce the alleged detenu namely Mathina, D/o.Krishnasamy, aged about 24 years before this Court and set her at liberty.

2. The case of the petitioner is that her daughter/missing person is aged about 24 years. On 01.07.2024 she was found missing. During the course of enquiry, the petitioner came to know that the third respondent had kidnapped the missing person. The petitioner has given a complaint to the second respondent. The second respondent had conducted an enquiry in C.S.R.No.577 of 2024 and thereafter, since no steps have been taken, the petitioner has filed the present habeas corpus petition.



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3. The learned Additional Public Prosecutor appearing for the respondents 1 & 2 would submit that the petitioner's daughter is aged about 24 years. She had got married to the third respondent Maruthupandiyan on 14.02.2022 and the marriage has been registered at Registrar Office, Dindugal Joint-I, on 14.02.2022. During the enquiry, it was found that the third respondent and the missing person had already married in the year 2022 and thereafter, the missing person living along with the petitioner and subsequently, she has gone out of the house on 01.07.2024. He further submitted that the petitioner and the third respondent are also relatives.

4. The learned counsel appearing for the third respondent would submit that the third respondent is a practicing Advocate before this Court. He is related to the petitioner. The third respondent had already married the petitioner's daughter/missing person on 14.02.2022 without informing to their respective families and later, the missing person came out of the house on 01.07.2024 and they are living as husband and wife at Tenkasi.



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5. Recording the above said submission made and also finding that the missing person is a major and they got married to the third respondent and the marriage was also registered and there is no illegal detention involved in this case, this habeas corpus petition is closed.

[A.D.J.C., J.] [K.R.S., J.]
29.07.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
am

To:

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



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AND
K.RAJASEKAR, J.

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