



H.C.P(MD)No.1141 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.11.2024

CORAM:

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MS.JUSTICE R.POORNIMA**

H.C.P.(MD) No.1141 of 2024

Arul Selvi

...Petitioner /mother-in-law of the detenu

Vs.

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

2. The Inspector of Police,
Peravurani Police Station,
Thanjavur District.

3.Satheesh

... Respondents

(R3 is impleaded as per order of the Court dated
01.10.2024 passed in CrI.M.P(MD)No.10605 of 2024)



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PRAYER : Petition 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 or person of his daughter-in-law/detenu namely Pandi Meena W/o.Veera Sundar, aged 23 years, before this Court and set him at liberty.

For Petitioner : Mr.T.Eashwar

For Respondents : Mr.E.Antony Sahaya Prabahar – for R1&R2

Additional Public Prosecutor

ORDER

The petitioner's case is that her daughter-in-law is being illegally detained by the third respondent.

2. The second respondent has produced the detenu before us. We had an interaction with her. She is admittedly aged about 23 years. She made it clear that she went along with the third respondent on her own accord.



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3. A child has been born through the wedlock of the detenu with the petitioner's son. The detenu has abandoned the child and wants to go with the third respondent. We may disapprove the conduct of the detenu. Since the detenu is a major aged 23 years, it is not open to this Court to detain the detenu against her will in any place. We are satisfied that the petitioner's daughter-in-law has taken a conscious decision on her own accord and this is not a case of illegal custody.

4. Accordingly, this Habeas Corpus Petition stands dismissed.

(G.R.S., J.) (R.P., J.)
05.11.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
RM



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



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G.R.SWAMINATHAN, J.
AND
R.POORNIMA, J.

RM

ORDER MADE IN
H.C.P.(MD) No.1141 of 2024

05.11.2024