



H.C.P.(MD)No.1327 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.11.2024

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

H.C.P.(MD)No.1327 of 2024

Kasim Begam ... Petitioner / Mother of the Detenue

Vs.

- 1.The State of Tamilnadu Rep. by,
The Commissioner of Police,
Trichy City, Trichy.
- 2.The Inspector of Police,
Edamalaipattipudur Police Station,
Edamalaipattipudur, Trichy District.

3.Samsudeen ... Respondents

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 secure and produce the body or person of the detenu namely, Sabura Begam, W/o.Abdul Mohammed Rahim, aged 27 years, before this Court and set her at liberty.



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For Petitioner : Mr.A.V.Rajasekaran

For Respondents : Mr.E.Antony Sahaya Prabahar,
Addl. Public Prosecutor for R1 & R2.

ORDER

(Order of the court was delivered by G.R.Swaminathan, J.)

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents 1 and 2.

2.The petitioner is the mother of the detenue.

3.The learned Additional Public Prosecutor informs the Court that the petitioner's daughter has eloped with the third respondent herein. When the petitioner's daughter went missing on an earlier occasion, at the instance of the petitioner, Crime No.192 of 2024 was registered by the second respondent. The detenue was secured and she made it clear that she does not want to live with her husband and that she will choose her life on her own volition.



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4.The petitioner has given a signed letter for closing the complaint itself. Based on the petitioner's letter, referred charge sheet was also filed.

5.We are satisfied that this is not a case of illegal detention. It is a case of elopement. The habeas corpus petition is dismissed.

(G.R.S. J.,) & (R.P. J.,)
19.11.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

- 1.The Commissioner of Police,
Trichy City, Trichy.
- 2.The Inspector of Police,
Edamalaipattipudur Police Station,
Edamalaipattipudur, Trichy District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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