



HCP.No.81 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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**DATED : 10.01.2025**

CORAM :

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM**

**AND**

**THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN**

**H.C.P.No.81 of 2025**

Senthil Kumar

... Petitioner/Father of the detenu

***Vs.***

1.The Superintendent of Police,  
Office of Superintendent of Police,  
Thiruchencode Road,  
Namakkal,  
Namakkal District.

2.The Inspector of Police,  
Komarapalaiyam Police Station,  
Komarapalaiyam,  
Namakkal District.

3.Jesse Edward James

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, or any other appropriate writ order or direction in the



HCP.No.81 of 2025

nature of writ, to direct the 2<sup>nd</sup> respondent herein to produce the petitioner Daughter Femeena aged about 21 years D/o. Senthil Kumar before this Hon'ble Court from the illegal custody of the 3<sup>rd</sup> respondent and set her at liberty.

For Petitioner : Mr.S.Conscious Ilango  
For Mr.D.Arun

For Respondents  
(R1 & R2) : Mr.R.Muniyapparaj  
Additional Public Prosecutor

(For R3) : Mr.T.R.Prabhakaran

### **ORDER**

(Order of the Court was made by *S.M.SUBRAMANIAM, J.*)

The writ of Habeas Corpus Petition has been instituted to direct the second respondent to produce the daughter of the petitioner namely Ms.Femeena, aged about 21 years.

2. The second respondent Police secured the detainee and produced before this Court today.

3. The detainee and the third respondent are friends. We have examined the



HCP.No.81 of 2025

detenue. She is pursuing Second year Bio-Medical Engineering Course. She is staying in a Hostel at Chennai. Further, she says that her personal expenditures are made by the third respondent, who is now working at Canada. The detenue is not willing to join with her parents. She is willing to join with the third respondent at Canada after sometime.

4. Thus, we could able to find that the detenue is not under illegal detention. The detenue made a submission that her original educational certificates are with the petitioner/father and therefore, she is unable to submit an application for Passport.

5. In this regard, the petitioner/father, who is present before this Court, undertakes that he will hand over all the original educational certificates and documents, Birth Certificate, Pan Card, Voter ID, Aadhar Card of the detenue to the 2<sup>nd</sup> respondent Police, who in turn, shall hand over the same to the detenue and receive acknowledgement. The petitioner/father is directed to hand over the above said documents to the 2<sup>nd</sup> respondent / Police within a period of one week from today.



HCP.No.81 of 2025

**WEB COPY** 6. The third respondent also appeared before this Court through Video-conferencing. He has also acknowledged that he is ready to meet out the expenditures of the detainee for her education and stay at Chennai.

7. This being the understanding between the third respondent and the detainee, no further adjudication needs to be undertaken. Consequently, the Habeas Corpus Petition stands disposed of.

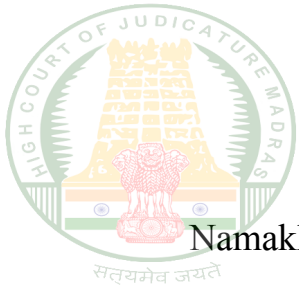
[S.M.S., J.] [M.J.R., J.]  
10.01.2025  
(2/2)

Index : Yes/No  
Speaking Order : Yes/No  
Neutral Citation : Yes/No  
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To

1. The Superintendent of Police,  
Office of Superintendent of Police,  
Thiruchencode Road,  
Namakkal,  
Namakkal District.

2. The Inspector of Police,  
Komarapalaiyam Police Station,  
Komarapalaiyam,



HCP.No.81 of 2025

Namakkal District.

3. The Additional Public Prosecutor,  
Madras High Court.



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*HCP.No.81 of 2025*

**S.M.SUBRAMANIAM, J.**  
**AND**  
**M.JOTHIRAMAN, J.**

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**H.C.P.No.81 of 2025**  
**(2/2)**

**10.01.2025**