



WEB COPY



HCP.No.2311 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2025

CORAM :

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

H.C.P.No.2311 of 2024

Gopi

... Petitioner

Vs

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

2. The Inspector of Police,
Thiruthani Police Station,
Thiruthani,
Tiruvallur District.
(Cr.No.800/2024)

3. Naveen

... Respondents

PRAYER: Petition filed under Article 226 of Constitution of India to issue a Writ of Habeas Corpus, directing the respondents 1 & 2 herein to produce the petitioner's daughter by name "Padmasree" who is aged about 17 years and minor, who has been illegally detained by the 3rd respondent herein, before this Court and hand over the custody of the petitioner's daughter to the petitioner.

For Petitioner

: Mr. M. R. Jothimanian



HCP.No.2311 of 2024

For Respondents : Mr. R. Muniyapparaj,
Additional Public Prosecutor
for R1 & R2

: R3- not

ORDER

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

The writ of Habeas Corpus Petition has been instituted to direct the respondents 1 and 2 to produce the petitioner's daughter, Padmasree, allegedly detained by the 3rd respondent.

2. The 2nd respondent, Inspector of Police, Thiruthani Police Station, secured and produced the detenu along with the 3rd respondent. The parents of the detenu are also present before this Court. We have examined the parties.

3. The date of birth of the detenu is 13.12.2006. Thus, she has attained the age of 18 years. The 3rd respondent is aged about 25 years and working as mechanic. It is informed before this Court that the detenu and the 3rd respondent got married and the family members of the 3rd respondent accepted the marriage. However, the parents of the detenu has not accepted the marriage and disputing the same.

4. Since the detenu now attained the age of majority and living with the 3rd



HCP.No.2311 of 2024

respondent as husband and wife, this Court is of the opinion that the detenu is not under illegal detention. The detenu is in her family way. That being so, we allow the detenu to continue her matrimonial relationship with the 3rd respondent and the 3rd respondent undertakes that he will take care of his wife/detenu.

5. The petitioner or his family members cannot interfere with the peaceful living of the 3rd respondent with the detenu. In the event of any unnecessary interference, the 3rd respondent or the detenu is at liberty to approach the jurisdictional police for initiation of all appropriate actions.

6. With the above observation and direction, this Habeas Corpus Petition stands disposed of.

[S.M.S., J.]

[M.J.R., J.]

20.01.2025

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

mrp

S.M.SUBRAMANIAM, J.
AND

