



HCP No.2262 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.11.2025

CORAM

**THE HONOURABLE MR JUSTICE N. SATHISH KUMAR
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

HCP No.2262 of 2025

Sathya Priya
W/o.Venkatesh,
D.No.203/5, 6th Cross, Vasavi Nagar,
Hosur Taluk, Krishnagiri District.

Petitioner(s)

Vs

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

2.The Inspector of Police,
Hosur Town Police Station, Hosur Krishnagiri District.

3.Deepak
S/o.Suresh, Pothachandriam Village, Kudumaranapalli,
Kelamangalam, Krishnagiri District.

Respondent(s)

Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus directing the second respondent to produce the petitioner's daughter *viz.* V.Thejashree, aged about 19 years, before this Court from the illegal custody of the third respondent and set her



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at liberty.

For Petitioner(s): Mr.M.Venkatesh

For Respondent(s): Mr.A.Damodaran
Additional Public Prosecutor
assisted by Mr.M.Karthikeyan

ORDER

(Made by N.Sathish Kumar, J.)

This habeas corpus petition has been filed seeking a direction to the second respondent to produce the petitioner's daughter viz. V.Thejashree, aged about 19 years, before this Court from the illegal custody of the third respondent and set her at liberty.

2. It is the case of the petitioner that her daughter went missing from 24.08.2025 and that she is in the illegal custody of the third respondent; in this regard, she has lodged a complaint before the second respondent/police on 27.08.2025, pursuant to which, a case in Crime No.367 of 2025 for 'woman missing' was registered; however, the police are not taking effective steps to secure her daughter and hence, he has preferred the present habeas corpus petition.



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3. On instructions, the learned Additional Public Prosecutor submitted that Thejasir/daughter of the petitioner appears to have married Deepak/third respondent, on her own will and she has also appeared before the second respondent/police and gave statements that she has left the house voluntarily and married Deepak, aged about 19 years, on her own volition and she is not willing to go with her parents. He has also produced a copy of the statement before this Court.

4. Taking into consideration the fact that the petitioner's daughter is a major and she has voluntarily left the house and married a person of her choice, it cannot be stated that Thejasri is in the illegal custody of anyone for the issuance of a writ of habeas corpus. If the petitioner is interested in prosecuting the third respondent under the Prohibition of Child Marriage Act, 2006, she can work out her remedy in accordance with law.

With the above observations, this habeas corpus petition stands closed.

(N.S.K., J.) (M.J.R., J.)



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To

- 1.The Superintendent of Police,
Krishnagiri District, Krishnagiri.
- 2.The Inspector of Police,
Hosur Town Police Station, Hosur Krishnagiri District.
- 3.The Public Prosecutor,
Madras High Court, Chennai – 600 104.



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and
M.JOTHIRAMAN, J.

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