



HCP(MD) No.427 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 02.04.2026

CORAM

**THE HON'BLE MR JUSTICE N. ANAND VENKATESH  
AND  
THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN**

H.C.P.(MD)No.427 of 2026

Saravanakumar

... Petitioner / Father of the  
detenu

Vs.

1. The Superintendent of Police,  
O/o. The Superintendent of Police,  
Sivagangai District.

2. The Inspector of Police,  
Thiruppavanam Police Station,  
Sivagangai District.

3. Thiru. Ragavan

..... Respondents

Prayer :Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, directing the respondent Nos.1 and 2 herein to produce the detenu, namely, Swathi, d/o Saravanakumar, female, aged about 20 years before this Court and set her at liberty.



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For Petitioner : Mr.J.Mohamed Ibrahim  
For R-1 and R-2 : Mr.E.Antony Sahaya Prabahar,  
Additional Public Prosecutor



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## **ORDER**

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(Order of the Court was made by N. ANAND VENKATESH,J.)

This petition has been filed by the petitioner who is the father of the detenue to produce the person or body of the detenue and to set her at liberty.

2. The case of the petitioner is that his daughter went missing from 21.03.2026 from her work place and thereafter, her whereabouts were not able to be ascertained. A complaint was given in this regard with the second respondent and in spite of the same, the second respondent has not even registered an FIR and had not taken efforts to trace the detenue. It is under these circumstances, the present petition came to be filed before this Court.

3. At the time of hearing, the detenue was produced before this Court. We ascertained from her that her date of birth is 28.06.2005 and that she has developed a relationship with the boy, namely, Kumaran, who was also present at the time of hearing. She stated that the said Kumaran is yet to reach the marriage-able age of 21 years and after he reaches that age, she



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will marry the said Kumaran. She further stated that presently she is residing in the house of the aunt of the said Kumaran. When we specifically put a question to her as to whether she can go and stay with the petitioner for some time, she stated that the petitioner came to the police station after giving a complaint and had given in writing that he is no longer interested in having a relationship with the detainee. The detainee, therefore, stated that she is not willing to go along with the petitioner.

4. The learned counsel appearing for the petitioner submitted that the boy with whom the detainee has relationship, has not even reached the legal marriage-able age and due to some pressure, the detainee is continuing to live with the boy.

5. In our considered view, the detainee is a major and she was very clear in her thoughts and expression and therefore, we cannot go into the correctness or otherwise of her relationship with the boy. This is beyond the jurisdiction conferred in a Habeas Corpus Petition.



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6. Therefore, except recording the stand taken by the detenue, no further orders can be passed in this petition.

7. This Habeas Corpus Petition is disposed of in the above terms.

[N.A.V.,J.] [K.K.R.K.,J.]  
02.04.2026

Index : Yes / No  
Internet : Yes / No  
TSG



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To

1. The Superintendent of Police,  
O/o. The Superintendent of Police,  
Sivagangai District.

2. The Inspector of Police,  
Thiruppavanam Police Station,  
Sivagangai District.

3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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AND  
K.K.RAMAKRISHNAN,J.**

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