

(2006) 03 MAD CK 0151

Madras High Court

Case No: Habeas Corpus Petition No. 278 of 2006

V. Sundararajan

APPELLANT

Vs

The Superintendent of Police,
The Inspector of Police,
Kodavasal Police Station and
Prabhu

RESPONDENT

Date of Decision: March 20, 2006

Hon'ble Judges: P. Sathasivam, J; J.A.K. Sampathkumar, J

Bench: Division Bench

Advocate: C. Kasirajan, for S. Jothivani, for the Appellant; Abudhukumar Rajarathinam, Government Advocate for 1 and 2, for the Respondent

Judgement

@JUDGMENTTAG-ORDER

P. Sathasivam, J.

The petitioner V. Sundararajan has filed this petition for production of his daughter by name Saranya and set her at liberty from the illegal custody of the third respondent and his associates before this Court.

2. Even at the time of the admission, respondents 1 and 2 have produced the detenu Saranya. She has appeared before us. We enquired her According to her, she is 19 years old and her date of birth is 1.06.1987. There is no dispute regarding her age. Hence, we hold that the detenu is a major. On our further enquiry, she has informed us that on 25.01.2006 she married the third respondent Prabhu at Echanari Mariamman Temple, Coimbatore District and she also asserted that from that date onwards i.e. from 25.01.2006, she is living with her husband. She also expressed that she prefers to live with her husband.

3. Taking note of her wish and assertion and also of the fact that she is a major, we are satisfied that she is not under illegal custody or detention of anyone including the third respondent. In such circumstances, no further direction is required as

claimed by the petitioner and the detenue is free to decide her future. Accordingly, this petition is closed.