

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2015

CORAM:

THE HONOURABLE DR. JUSTICE S.TAMILVANAN
and
THE HONOURABLE MR.JUSTICE C.T.SELVAM

H.C.P.No.1705/2015

C.Malliga

Petitioner

vs.

1. Commissioner of Police,
No.132, E.V.K.Sampath Salai,
Vepery, Chennai-600 007.
2. Inspector of Police,
E.4, Abiramapuram Police Station,
Chennai-28.
3. Jenin

Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus petition directing the respondents 1 and 2 herein to produce the body of the petitioner's daughter Lavanya, aged 20 years, who is under the illegal custody of the 3rd respondent and hand over the custody of Lavanya to the petitioner herein.

For Petitioner .. Mr.J.Agni Selvaraju

For Respondents 1&2 .. Mr.A.N.Thambidurai, APP

For 3rd respondent .. Mr.T.K.S.Gandhi

ORDER

(Order of the Court was made by S.TAMILVANAN, J.)

This Habeas Corpus Petition has been filed seeking a direction to the respondents to produce the petitioner's daughter Lavanya, aged about 20 years, before this Court from the custody of the 3rd respondent.

2. We heard the learned Counsel for the petitioner, the learned Additional Public Prosecutor appearing for the respondents 1 and 2 and the learned Counsel for the 3rd respondent.

3. The petitioner is present before this Court. The daughter of the petitioner, namely, the detainee Lavanya is also present before this Court.

4. While we enquired, the detainee stated that she married the 3rd respondent in Arulmighu Pakodu Neelanallur Sivan Temple, Kanyakumari District. In support of her contention, she has also produced a copy of the Marriage Register Extract. She further adds that she wants to go only along with her husband and not with her mother, the petitioner herein.

5. It is not in dispute that the alleged detainee Lavanya, is aged about 20 years and as per her statement, she married the 3rd respondent, namely, Jenin. In the aforesaid circumstances, we are of the view that there is no illegal detention. Therefore, having recorded the statement of the alleged detainee Lavanya that she wants to go only along with her husband, the 3rd respondent herein, who is also present before this Court, the Habeas Corpus Petition is ordered to be closed.

Sd/-

Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

To

1. The Commissioner of Police,
No.132, E.V.K.Sampath Salai,
Vepery, Chennai-600 007.
2. The Inspector of Police,
E.4, Abiramapuram Police Station,
Chennai-28.
3. The Public Prosecutor
High Court, Madras.

+1 cc to Mr.Gandhi, Advocate, sr.39980

+1 cc to Mr.Agni Selvaraju, Advocate, sr.40030.

H.C.P.No.1705/2015

mg(co), kra(13/08)