

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R. SUDHAKAR
AND
THE HONOURABLE MR. JUSTICE P.N.PRAKASH

HCP.No.2191/2015

K.Radha

Petitioner

Versus

State of Tamil Nadu
Rep by
The Inspector of Police
V.Kalathur Police Station
Perambalur District 621 117

Respondent

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Habeas Corpus directing the respondent to produce the petitioner's daughter Ms.Sahana Priya, aged about 19 years before this Court and set her at liberty.

For Petitioner	:	Ms.C.K.Vishnu Priya
For Respondent	:	Mr.A.N.Thambidurai
		Addl. Public Prosecutor
For Detenue	:	Mr.S.K.Chandrakumar

ORDER

[Order of the Court was made by P.N.PRAKASH, J.,]

The above petition has been filed by the petitioner/mother of the detenue, to cause production of her daughter Sahana Priya before this Court and to set her at liberty.

2. It is the case of the petitioner that her daughter Sahana Priya aged about 19 years, studying II year Engineering Course [ECE] in RMK Engineering College, Gummidipoondi, a hostelite, went missing from 19.08.2015, in connection with which a case in V.Kalathur Police Station Cr.No.268 of 2015 for "woman missing" has been registered and investigation is pending. Since the police had not taken any steps to secure the missing girl, this Habeas Corpus Petition has been filed for a direction to the police to produce the said girl.

3. During the pendency of this petition, the girl was produced before this Court on 23.11.2015 by her Advocate. On enquiry, she stated that she is in love with one Venkatesan and that she had eloped with him to Bangalore. The matter was adjourned to 24.11.2015 for the appearance of the parents of the girl and the said Venkatesan. On 24.11.2015, all the parties including the parents of the victim girl and Venkatesan appeared before this Court. This Court enquired with the parties individually and collectively and adjourned the case to today.

4. Today [25.11.2015] when the matter was called, the alleged detainee and said Venkatesan were present and they were enquired. Their parents are also present. The victim girl stated that she neither wants to go with said Venkatesan nor with her parents and that she wants to stay in a ladies hostel and pursue her studies.

5. Recording her submission, and finding that she is a major, we are inclined to set her at liberty to chalk out her life on her own. The parents of the girl who have paid the hostel and College fees to RMK Engineering College stated that the girl was not inclined to pursue her studies in the same College. It is open to her parents to approach the College authorities for transfer to any College and claim refund of fees, if it is permissible.

With the above observation this Habeas Corpus Petition is closed.
gms

s/d-
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

1.The Inspector of Police
V.Kalathur Police Station
Perambalur District 621 117.

2.The Principal, RMK Engineering College, Gummidipoondi.

3.The Public Prosecutor, High Court, Chennai.

+ 2 ccs to Mr.S.K.Chandrakumar, Advocate SR 64017

+ 1 cc to Mr.C.K.Vishnupriya, Advocate SR 64413

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