

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.10.2015

CORAM

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

H.C.P. No.2630 of 2015

Paul Joseph

...Petitioner

-v-

1. The Commissioner of Police,
Salem.
2. The State Sub-Inspector of Police,
The Sub Inspector of Police,
Hasthampatty Police Station,
Salem-8.
3. E.Richeard Nesaraj
4. Edwin Sundarai

...Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Habeas Corpus directing the second respondent herein to produce the petitioner's daughter namely Ms.Peninisa Ruth from respondents 3 and 4, in connection with compliant given by the petitioner dated 30.09.2015 on the file of the second respondent police.

For Petitioner : Mr.E.C.Ramesh

For Respondent : Mr.A.N.Thambi Durai
Addl. Public Prosecutor

O R D E R
(Order of the Court made by S.TAMILVANAN,J.)

This petition has been filed by the petitioner/father of the detainee, Ms.Peninisa Ruth, agged about 20 years, to cause production his daughter/the detainee, before this Court and to

set her at liberty.

2.The alleged detenue is secured and produced before this Court by the respondent police.

3.On enquiry, the detenue states that she is a major, aged about 20 years and that she is now residing with fourth respondent, who is none other than her maternal uncle and further submits that there is no illegal detention of her by anybody. Though the petitioner/father of the alleged detenue is also present before this Court, she is not willing to go with her father.

4.Recording the submission made by the alleged detenue that there is no there is no illegal detention by anybody, we are of the view that this Habeas Corpus Petition itself is not legally sustainable. Accordingly, this petition is dismissed.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner of Police,
Salem.
2. The Sub-Inspector of Police,
Hasthampatty Police Station,
Salem-8.
3. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

1 CC to Mr.E.C.Ramesh, Advocate SR.No. 58931

H.C.P. No.2630 of 2015

KK (CO)
PSI (05.11.2015)