

In the High Court of Judicature at Madras

Dated: 18.11.2015

Coram

The Honourable Mr.JUSTICE R.SUDHAKAR
and
The Honourable Mr.JUSTICE P.N.PRAKASH

Habeas Corpus Petition No.2834 of 2015

V.Sasikala

.... Petitioner

Vs.

1. The Commissioner of Police,
Chennai.
2. The Inspector of Police,
Anna Nagar Police Station,
Chennai.

.... Respondents

PETITION under Section 226 of The Constitution of India praying for the issuance of Writ of Habeas Corpus directing respondents 1 and 2 to produce the body of the petitioner's daughter, namely, V.Nivetha, D/o Velayutham, aged 24 years, before this Court and set her at liberty.

For Petitioner : Mr.Suresh

For Respondent : Mr.A.N.Thambidurai,
Addl. Public Prosecutor

O R D E R

(Order of the Court was made by P.N.PRAKASH,J.)

This Habeas Corpus Petition is filed by the mother of the detainee V.Nivetha seeking direction to the respondents herein to produce the detainee before this Court and set her at liberty.

2. On 06.11.2015, this Court has passed the following order:

On special mention made by the learned counsel for the third respondent, the matter was listed today.

2. The alleged detainee Nivetha, was today produced by her father Velayutham before this Court, who stated that he is employed in the Central Bank of India and is posted at Trivandrum, and that his daughter was staying in a hostel, as he was pursuing her further studies. It is stated by the detainee and her father, that the petitioner who is the mother of the detainee, was making arrangements for getting the detainee married to a person, for which she was not willing. Since they were pressurizing her to marry the said person, she left the ladies hostel and now she is with her father.

3. The detainee complained that the police authorities are harassing her relatives, namely, her father's younger brother and other relatives and that she is finding it very difficult to pursue her higher studies. Hence, learned Additional Public Prosecutor is directed to instruct the police authorities concerned not to harass the detainee's relatives. The detainee has been handed over to her father.

4. learned counsel for the petitioner is present and he submitted that the detainee's mother is on her way from Pondicherry, and seeks adjournment.

At his request, adjourned to 17.11.2015."

3. Today, when the matter was taken up, learned counsel appearing for the petitioner sought adjournment on the ground that the petitioner is not available. It is seen that the detainee has been produced before this Court and she is in the custody of her father. It is seen that she is staying with her father, on account of her mother's harassment. In such circumstances, it could not be said that the detainee is in illegal custody.

4. In the light of the above, this Habeas Corpus Petition stands dismissed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

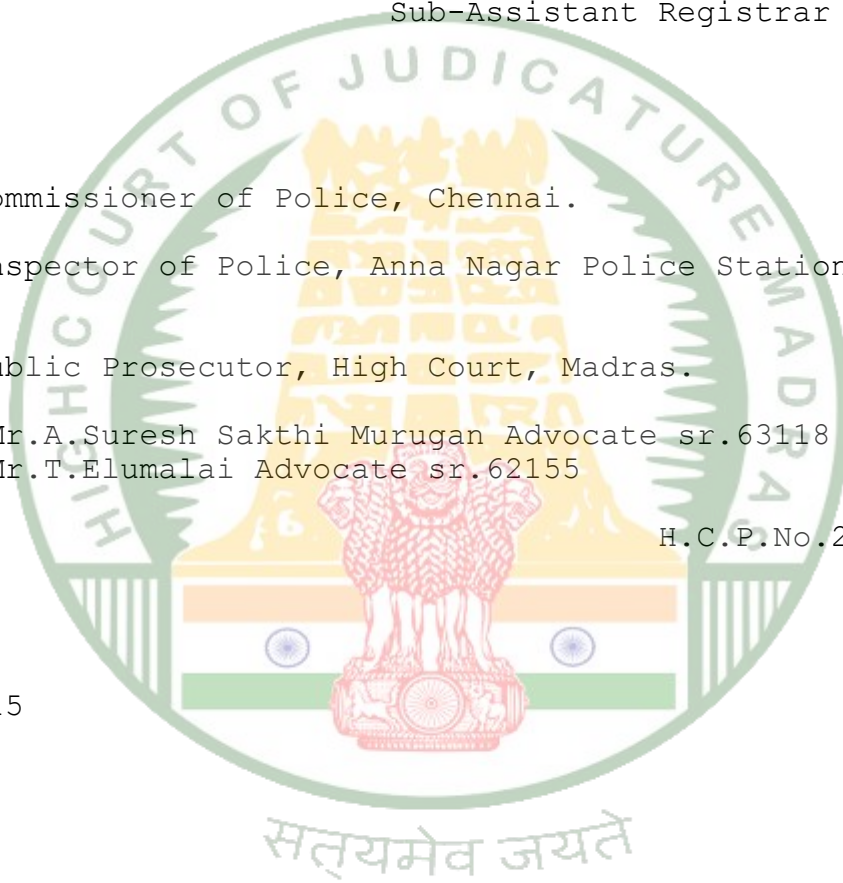
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To

1. The Commissioner of Police, Chennai.
2. The Inspector of Police, Anna Nagar Police Station, Chennai.
3. The Public Prosecutor, High Court, Madras.

+1 cc to Mr.A.Suresh Sakthi Murugan Advocate sr.63118
+1 cc to Mr.T.Elumalai Advocate sr.62155

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