

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2015

CORAM

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

Habeas Corpus Petition No.3099 of 2015

Silambarasan

.. Petitioner

Vs.

1. The State represented by its
Station House Officer,
Vada Ponparappi Police Station,
Villupuram District.
2. The Superintendent of Police,
Villupuram District, Villupuram.
3. Arumugam
4. Ramasamy
5. Meenatchi
6. Meenambal
7. Ambika

..... Respondents

PETITION under Section 226 of The Constitution of India
praying for the issuance of Writ of Habeas Corpus directing the
first respondent to produce the person named Monisha, D/o,
Rajamanikkam aged about 22 years, who is in the illegal custody
of respondents 3 to 7 and their men before this Court and to
give her custody to the petitioner.

For Petitioner : Mr.T.Arunkumar

For Respondents: Mr.V.M.R.Rajendran

Addl. Public Prosecutor (Crl.Side)

O R D E R

(Order of the Court was made by R.SUDHAKAR,J.)

This Habeas Corpus Petition is filed by the brother of the
detenue Monisha, for a direction to the respondents to produce
the detenue before this Court and set her at liberty.

2. It is the case of the petitioner that his sister went missing on 21.10.2015, in connection with which, a case in Crime No.140 of 2015 has been registered by the respondent - police under Section 366 IPC. In spite of registration of the case, respondent - police have not taken any steps to secure the detainee and hence the present petition.

3. Learned Additional Public Prosecutor, on instruction, submits that investigation is in progress in this case.

4. Admittedly, it is a case of family dispute. The petitioner states that the detainee is aged 22 years and betrothal was arranged for the detainee on 15.10.2015 and the marriage was scheduled to be held during January, 2016. The allegation of the petitioner is that the detainee ran away from home and respondents 3 to 7 are responsible for the same. From this it transpires that there is an allegation of love affair with the third respondent.

5. In such view of the matter, even according to the petitioner, the detainee being major and that she left the house on her own accord, it cannot be said that it is a case of illegal detention warranting issuance of Writ of Habeas Corpus. Accordingly, this Habeas Corpus Petition stands closed, with a direction to the respondent - police to proceed with the investigation in Crime No.140 of 2015 and keep the petitioner informed about the developments.

Sd/-

Assistant Registrar(CS IV)

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Sub Assistant Registrar

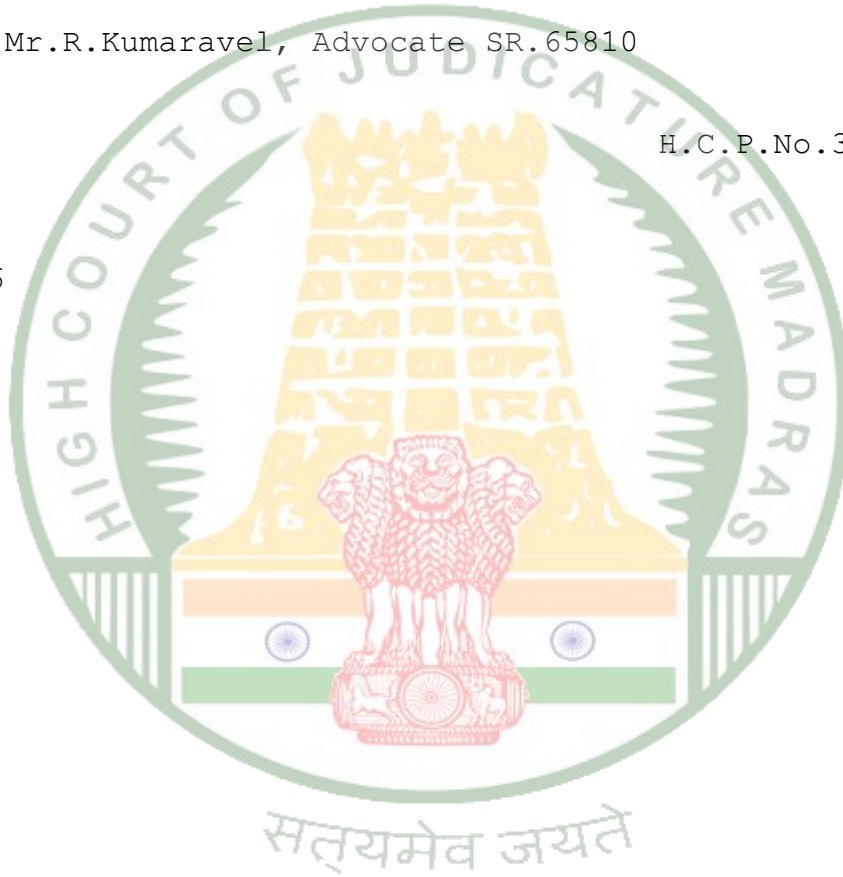
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To

1. The Station House Officer,
Vada Ponparappi Police Station,
Villupuram District.
 2. The Superintendent of Police,
Villupuram District, Villupuram.
 3. The Public Prosecutor, High Court, Madras.
- + 1 cc to Mr.R.Kumaravel, Advocate SR.65810

H.C.P.No.3099 of 2015

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