

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 01.12.2015

CORAM

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

H.C.P. NO. 453 OF 2015

Prema Ilango

.. Petitioner

- Vs -

1. The Inspector of Police
Mettupalayam Police Station
Coimbatore District.

2. Johnson Magesh Prabhu

.. Respondents

Petition filed for the issuance of a writ of habeas corpus directing the first respondent to produce the petitioner's daughter, Madhumathi, aged about 35 years, under the detention of the second respondent, before this Court, set her at liberty and restore her custody to the petitioner.

For Petitioner : Mr. M.Purushothaman

For Respondents : Mr. A.N.Thambidurai, APP for R-1
No representation for R-2

ORDER

(DELIVERED BY R.SUDHAKAR, J.)

This petition has been filed by the petitioner, for a direction to the first respondent to produce the petitioner's daughter, Madhumathi, aged about 35 years, under the detention of the second respondent, before this Court, set her at liberty and restore her custody to the petitioner.

2. Heard the learned counsel appearing for the petitioner and the learned Addl. Public Prosecutor appearing for the first respondent.

3. It is evident from the petition, filed by the mother of the alleged detainee, that her daughter is a 35 years old married lady and the mother of two children. It is further evident from the petition that her daughter had left the matrimonial house on her own accord to go and live with the second respondent.

4. Since the petitioner herself has averred that her

daughter is an adult and it is a case of illegal intimacy of the alleged detainee with the second respondent, this Court is of the considered opinion that there is no illegal detention of the detainee by any person, much less the second respondent, and, therefore, this Court finds no reason for the issuance of a writ of habeas corpus as prayed for.

5. Accordingly, this habeas corpus petition is closed. However, it is open to the petitioner to work out her remedy in any other manner known to law.

Sd/-
Assistant Registrar (CS-III)

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Sub Assistant Registrar

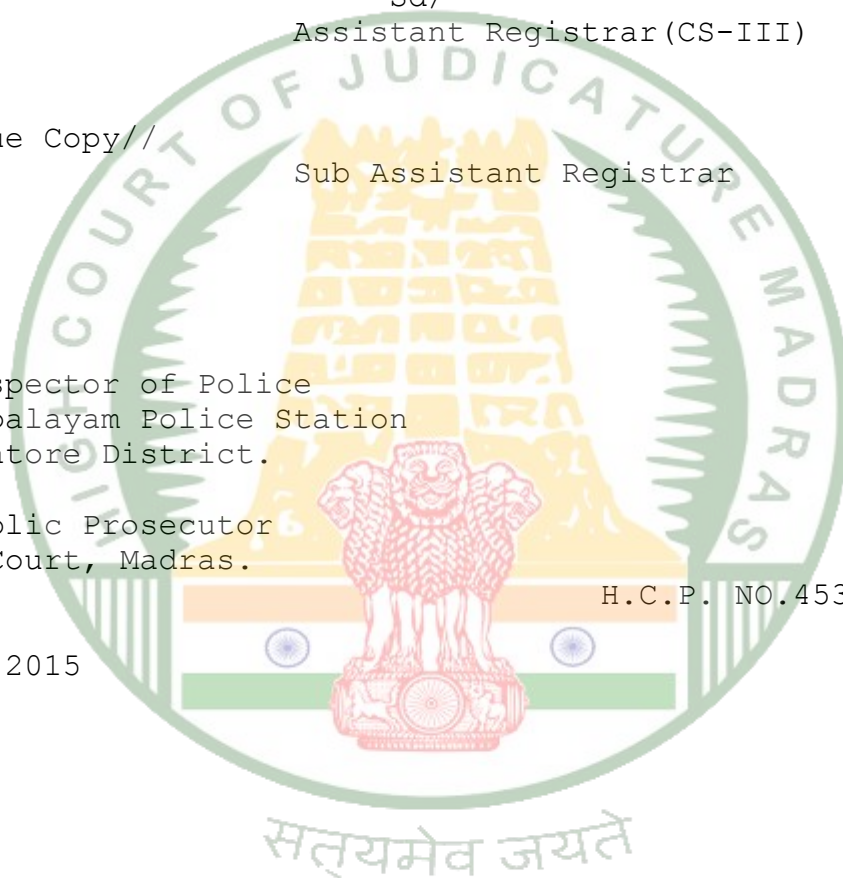
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To

1. The Inspector of Police
Mettupalayam Police Station
Coimbatore District.
2. The Public Prosecutor
High Court, Madras.

H.C.P. NO.453 OF 2015

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