

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.12.2015

CORAM

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

HCP.No.2851 of 2014

Sampath

.. Petitioner

Versus

1.The Superintendent of Police
Vellore District.

2.The Deputy Superintendent of Police
Ranipet Range, Vellore District.

3.The Inspector of Police
Walajahpet Police Station
Walajahpet, Vellore District.

4.Rajasekar

5.Selvam

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Habeas Corpus directing the respondents to produce the body of the petitioner's daughter S.Priya, D/o Sampath, aged about 24 years before this Court and hand over her custody to the petitioner.

For Petitioner : Mr.N.S.Amarnath

For R1 to R3 : Mr.A.N.Thambidurai
Addl. Public Prosecutor

ORDER

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

This petition has been filed seeking a direction to the respondents to produce the body of the petitioner's daughter S.Priya, D/o Sampath, aged about 24 years before this Court and hand over her custody to the petitioner.

2. It is the case of the petitioner that his daughter Priya, aged about 24 years went missing on 09.10.2014, in connection with which a case in Cr.No.515 of 2014 for "woman missing" was

registered on 11.10.2014 and since no effective steps were taken to trace the missing person, this Habeas Corpus Petition has been filed.

3. Today when the matter was taken up for hearing, learned Additional Public Prosecutor submitted that Priya was produced before the learned Judicial Magistrate No.II, Walajahpet, Vellore in Cr.No.515 of 2014 on 11.05.2015 and a copy of the order passed by the learned Judicial Magistrate has also been produced, which reads as follows:

"The woman is produced before me thro HC Ashok Kumar on 11.05.2015 @ 4.10 p.m. Heard. Received the affidavit. She wished to go with her husband. Affidavit also obtained from her husband. Sent with her husband."

Since the victim girl is a major and that she had expressed her desire to go with her husband, who is the fourth respondent herein, we hold that this is not a case of illegal detention. Accordingly, this Habeas Corpus Petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

1.The Judicial Magistrate No.II,
Walajapet.

2.-Do- Thro The Chief Judicial Magistrate,
Vellore.

3.The Superintendent of Police
Vellore District.

4.The Deputy Superintendent of Police
Ranipet Range, Vellore District.

5.The Inspector of Police
Walajahpet Police Station
Walajahpet, Vellore District.

6.The Public Prosecutor,
High Court Madras.

HCP.No.2851 of 2014

kk (CO)
srg (08/01/2016)



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