



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.08.2015

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

and

THE HONOURABLE MR.JUSTICE V.S.RAVI

H.C.P(MD)No. 1147 of 2015

J.S.Jaffar

.. Petitioner

Vs.

1. The Superintendent of Police,
Madurai District,
Madurai.

2.The Inspector of Police,
Sholavanthan Police Station,
Madurai District.

3.Rajaraman

4.Sudha

5.Senthil

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, to direct the respondents to produce the body of the petitioner's daughter namely Vahitha Begum, D/o. J.S.Jaffar, aged 23 years, who is under the illegal custody of the respondents 3 to 5 before this Hon ble Court and set her liberty.

For Petitioner : Mr.C.C.Vakeeswaran

For RR 1 & 2 : Mr.K.S.Duraipandian

Additional Public Prosecutor.

Respondents 3 to 5 : No appearance

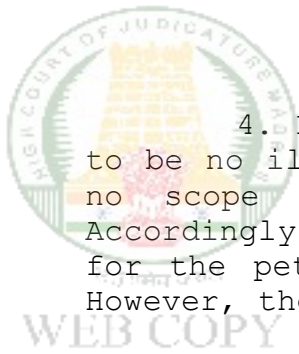
ORDER

[Order of the Court was made by S.NAGAMUTHU,J]

The petitioner is the father of one Ms.Vahitha Begum, aged 23 years. It is alleged that she has been abducted by the third respondent. Therefore, he has come up with this Habeas Corpus Petition.

2. We have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents. We have also perused the records carefully.

3. The learned Additional Public Prosecutor would submit that earlier, there was a registered marriage between the detinue and the third respondent. Subsequently, it was dissolved by the villagers and thereafter, now she has eloped with the third respondent. In respect of the same, a case has been registered in Crime No.206 of 2015 on the file of the second respondent and the same is under investigation.



4. In view of the above facts and since we find that there appears to be no illegal detention and since it is a case of elopement, there is no scope to issue any direction in this Habeas Corpus Petition. Accordingly, this Habeas Corpus Petition is dismissed, leaving it open for the petitioner to work out his remedy in the manner known to law. However, the second respondent - Police shall continue the investigation.

sd/-

Assistant Registrar(Writs)

/True copy/

sub Assistant Registrar

To

1. The Superintendent of Police,
Madurai District, Madurai.

2.The Inspector of Police,
Sholavanthan Police Station, Madurai District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+one cc to M/s.C.Vakeeswaran, Advocate in SR.No.50186

pjl/gcg

ORDER MADE IN
H.C.P (MD) No.1147 of 2015
31.08.2015

CSL/NGM-SS/10.09.2015
2P/5C