



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.11.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.R.SHIVAKUMAR

and

THE HONOURABLE MR.JUSTICE V.S.RAVI

H.C.P(MD)No.1634 of 2015

S.Alagarsamy

.. Petitioner

Vs.

1.The Superintendent of Police,
Dindigul District.

2.The Inspector of Police,
Palani Town Police Station,
Palani, Dindigul District.

3.Kishore

4.Thannasiappan

5.Latha

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the first and second respondents to produce the body or person of the petitioner's daughter/detenu, namely Sangeetha D/o.Alagarsamy, aged about 25 years, from the illegal detention of the respondents 3 to 5 before this Court and set her at liberty.

For petitioner

: Mr.R.Jegadeeswaran

For respondent Nos.1&2

: Mr.R.Ramachandran

Additional Public Prosecutor

O R D E R

[Order of the Court was made by P.R.SHIVAKUMAR, J.]

S.Alagarsamy, the father of the alleged missing girl - Sangeetha, aged about 25 years, is the petitioner in the Habeas Corpus Petition. Complaining that his daughter - Sangeetha was missing from his house from 19.11.2015 and that he suspected abduction by the third respondent with the help of the respondent Nos.4 and 5, the petitioner lodged a complaint with the second respondent, based on which a case was registered in Crime No.1166 of 2015, for an alleged offence under Section 366(A) of the Indian Penal Code. Meanwhile, Sangeetha along with the third respondent [T.Kishore] appeared before the All Women Police Station, Theni and gave a statement to the effect that she was in love with the third respondent and it continued for three years and that as the parents were opposing their union, they got married in a temple. It was also her statement that she did not want to go with her parents and she wanted protection to be given for them to live peacefully. The said statement was recorded by the Inspector of Police, All Women Police Station, Theni, on 20.11.2015. A similar statement was also obtained from the third respondent -



T.Kishore.

2. In view of the fact that Sangeetha was, admittedly, a major and also a graduate, having obtained B.A., B.Ed., and she was fit to take her own decision, the police seem to have allowed her to go with the person of her choice. Only thereafter, the petitioner has chosen to approach this Court with the present Habeas Corpus Petition. In fact, after two days gap from the said occurrence, the petitioner seems to have filed this Habeas Corpus Petition suppressing the above said facts. Some how or other, now the petitioner seems to have been advised properly and pursuant to such advice, the petitioner has come forward to withdraw the Habeas Corpus Petition. An endorsement praying for the withdrawal of the Habeas Corpus Petition has been made by the learned counsel for the petitioner. The endorsement is recorded and the Habeas Corpus Petition is dismissed as withdrawn.

Sd/-
Assistant Registrar (W)

/True Copy/

Sub Assistant Registrar

NB
To:

- 1.The Superintendent of Police,
Dindigul District.
- 2.The Inspector of Police,
Palani Town Police Station,
Palani, Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

GJM/GSV/AN/3.12.15-2P-4C

ORDER MADE IN
H.C.P (MD) No.1634 of 2015
24.11.2015