



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.11.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.R.SHIVAKUMAR

and

THE HONOURABLE MR.JUSTICE V.S.RAVI

H.C.P. (MD) No.1447 of 2015

S.Kannan : Petitioner

Vs.

1.The Commissioner of Police,
Madurai City.

2.The Inspector of Police,
Theppakulam Police Station,
Madurai City.

3.Ilayaraja : Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the respondents to produce the person or body of the detenu, the petitioner's daughter Srikeerthana, aged 25 years, before this Court and set her at liberty.

For Petitioner : Mr.R.Prabu Ramachandran

For Respondents 1 & 2 : Mr.K.S.Duraipandian
Additional Public Prosecutor.

For Respondent 3 : No appearance

ORDER

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

We have heard the submissions made by the learned counsel for the petitioner and the learned Additional Public Prosecutor.

2. The petitioner Kannan is the father of the alleged detenu, who is admittedly a major. The alleged detenu was married to one Saravanakumar and it seems the alleged detenu developed intimacy with the 3rd respondent, as a result of which, she eloped with him. These particulars are furnished by the learned Additional Public Prosecutor on instructions from the police. The said informations are gathered by the police during the investigation conducted in Crime No.977 of 2015, registered on the



file of the Theppakulam Police Station, Madurai City, as a 'woman missing' case, based on the complaint of the petitioner.

3. The said submissions made by the learned Additional Public Prosecutor is not disputed by the petitioner. On the other hand, the learned counsel for the petitioner submits that since the husband of the alleged detenu is not interested in taking steps to trace her, the petitioner has approached this Court with this Habeas Corpus Petition.

4. From the submissions made by the learned Additional Public Prosecutor, it is clear that she is not in illegal custody of anybody. The alleged detenu being a major is at liberty to go anywhere, she pleases. Hence, we deem it appropriate to dismiss the Habeas Corpus Petition. Accordingly, the Habeas Corpus Petition is dismissed.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

- 1.The Commissioner of Police,Madurai City.
- 2.The Inspector of Police,
Theppakulam Police Station,Madurai City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Pjl/rr
AA/SK-SKN/23.11.2015/2p-4c

Order Made in
H.C.P (MD) No.1447 of 2015
Dated: **16.11.2015**