



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.08.2015

CORAM:

THE HONOURABLE MR.JUSTICE **S.NAGAMUTHU**

and

THE HONOURABLE MR.JUSTICE **V.S.RAVI**

H.C.P(MD)No.829 of 2015

P.Vijaya
W/o.Palpandi Nadar
South Street,
Pattankadu
Tirunelveli District.

.. Petitioner

Vs.

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

2.The Deputy superintendent of Police
Deputy Superintendent office,
Sankarankovil, Tirunelveli District.

3.The Inspector of Police,
Sankarankovil Police Station,
Tirunelveli District.

4.Gurupankutty Raj
S/o.Mariappan
Kamaraj Nagar, Sankarankovil
Tirunelveli District.

.. Respondents

Habeas Corpus Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus to direct the respondents 1 to 3 to produce the person or body of the detinue namely Anitha (Minor) aged 17 years, D/o.Palpandi Nadar from the illegal custody of the 4th respondent before this Court and handed over the custody to the petitioner.

For Petitioner

: Mr.J.Ashok for
M/s.Jeyapaul Associates

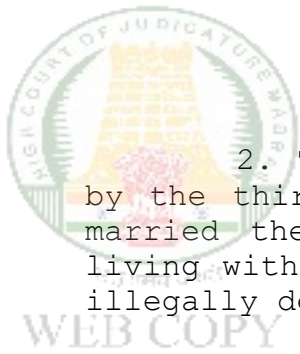
For Respondents

: Mr.K.S.Duraipandian for RR1 to 3
Addl.Public Prosecutor
No appearance for R4

ORDER

(Order of the Court was made by **S.NAGAMUTHU, J.**)

The petitioner is the Mother of one Anitha, daughter of Palpandi Nadar. According to the petitioner, she has been illegally detained by the 4th respondent. With this allegation, she has come up with this petition.



2. Today, when the matter was taken up, the detenue was produced by the third respondent police. On enquiry, she would submit that she married the fourth respondent on 31.07.2015 and she has been happily living with him as his wife. She would further state that she was never illegally detained by anybody. The said statement is recorded.

3. The learned counsel for the petitioner would submit that the minor was taken, while she had not completed 18 years of age. If that is so, the remedy for the petitioner lies elsewhere. In his Habeas Corpus Petition, we are concerned only with the safety and security of the detenue. Since she is happily living, no direction as prayed for could be granted. Accordingly, this Habeas Corpus Petition is disposed of setting the detenue at liberty.

Sd/-
Assistant Registrar (Crl.Side)

/True Copy/

Sub Assistant Registrar

RR

To

- 1.The Superintendent of Police,
Tirunelveli District, Tirunelveli.
- 2.The Deputy superintendent of Police
Deputy Superintendent office,
Sankarankovil, Tirunelveli District.
- 3.The Inspector of Police,
Sankarankovil Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

GJM/NGM/SS/11.9.15-2P-5C

ORDER MADE IN
H.C.P (MD) No.829 of 2015
11.08.2015