

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

AND

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

HABEAS CORPUS PETITION NO.2793 OF 2015

Mrs.V.Mala Petitioner/Mother of the
detenue

Vs.

1. The Inspector of Police,
H-6, R.K.Nagar Police Station,
R.K.Nagar, Chennai.

2. Mr.Rajasekar

3. Mr.Murthy

4. Mrs.Vijaya

..... Respondents

PETITION under Section 226 of The Constitution of India
praying for the issuance of Writ of Habeas Corpus directing the
respondents to produce the body or person of the petitioner's
minor daughter Divya Bharathi, daughter of Thiru.Vijayakumar and
Mrs.Mala, aged about 17 years before this Court and set her at
liberty.

For Petitioner : Mr.S.Dinesh Babu

For Respondents : Mr.A.N.Thambidurai
Additional Public Prosecutor - R1

O R D E R

(Order of the Court was made by P.N.PRAKASH,J.)

This Habeas Corpus Petition is filed by the mother of the
detenue, viz., Divya Bharathi for a direction to the respondents
to produce the detenue before this Court and set her at liberty.

2. It is the case of the petitioner that her daughter Divya Bharathi, aged about 17 years went missing, in connection with which a case in Crime No.1387 of 2015 for girl missing has been registered by the first respondent police. The allegation of the petitioner is that despite registration of the complaint, the first respondent had not taken any effective steps to trace the detainee. Hence, the petitioner has filed the present Habeas Corpus Petition.

3. Today, when the matter was called, the detainee was produced before this Court by her counsel Ms.Nikita R.Vora. The parents of the detainee are also present before this Court.

4. On enquiry, the detainee states that her date of birth is 09.11.1997 and she married the second respondent Rajasekar on 13.11.2015 at Pillayar Koil, Tiruttani Road, Salai Village, Arakkonam Taluk, Vellore District, in support of which, Marriage Registration Certificate Sl.No.401 of 2015 dated 13.11.2015 issued by Joint Sub-Registrar-I, Arakkonam, has been produced. She further states that the second respondent is none other than his paternal Aunt's son.

5. On enquiry, the petitioner states that after filing the present Habeas Corpus Petition, they came to know her daughter's affair with the second respondent and they reconciled themselves to the fact that she married the second respondent.

6. Since the detenu is major as of today and that she has chosen to chalk out her own life, we find that it is not a case of illegal detention warranting issuance of a Writ of Habeas Corpus. Accordingly, this petition stands closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

sl

To

1. The Inspector of Police, H-6,
R.K.Nagar Police Station,
R.K.Nagar, Chennai.

2. The Public Prosecutor, High Court, Madras.

H.C.P.No.2793 of 2015

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