

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUDHAKAR
AND
THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Habeas Corpus Petition No.2796 of 2015

Jothi

... Petitioner/Mother of
the Detenue

Vs.

1. The Superintendent of Police,
Cuddalore District, Cuddalore.
2. State by
Inspector of Police,
Muthandikuppam Police Station,
Cuddalore District.

... Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of Writ of Habeas Corpus to direct the respondents to produce the body and person of the detenue by name Vijayalakshmi, daughter of Govindarasu, aged about 28 years before this Court and set her at liberty.

For Petitioner : Mr.K.Balu

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

सत्यमेव जयते

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, Vijayalakshmi seeking direction to respondents to produce the detenue before this Court and set her at liberty.

2. It is the case of the petitioner that her daughter Vijayalakshmi, aged about 28 years, went missing on 15.02.2015,

in connection with which, a case in Crime No.138 of 2015 for woman missing has been registered by the second respondent police. It is the allegation of the petitioner that thereafter the respondent - police had not chosen to trace her daughter. Hence, she filed the present Habeas Corpus Petition.

3. The second respondent - police have filed status report dated 09.01.2016, wherein, it is stated that the petitioner's daughter had love affair with one Sivaramakrishnan, who belongs to another community and married him. It is also stated that both sought protection from the local MLA. Apart from that, the status report reveals that the detainee has filed W.P.No.25973 of 2015 before this Court seeking police protection on the ground that her father and brothers have threatened her with dire consequences.

4. In view of the above, we are of the view that it is not a case of illegal detention warranting issuance of a Writ of Habeas Corpus, inasmuch as the detainee is a major and had gone out of her house on her own volition. Accordingly, this Habeas Corpus Petition stands closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

sl

To

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

2. Inspector of Police,
Muthandikuppam Police Station,
Cuddalore District.

3. The Public Prosecutor,
High Court, Madras.

H.C.P.No.2796 of 2015

VGI (CO)
CA(25/01/2016)