

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2016

CORAM

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

Habeas Corpus Petition No.3162 of 2015

Latha Kumari

... Petitioner/Mother of
the Detenu

Vs.

1. The State rep. by
The Inspector of Police,
G-3 Melmaruvathur Police Station,
Kanchipuram District.

2. Rajan

... Respondents

PETITION Under Section 226 of The Constitution of India
praying for the issuance of Writ of Habeas Corpus directing the
respondent to produce the body of the petitioner's daughter
Kavitha aged about 18 years, who is now in the illegal detention
and custody of the 2nd respondent and set her at liberty.

For Petitioner : Mr.I.Paul Noble Devakumar

For Respondents : Mr.A.N.Thambidurai
Additional Public Prosecutor -R1
Mr. Subburayalu - R2

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
detenu Kavitha for a direction to respondents to produce the
body of petitioner's daughter, aged about 18 years before this
Court.

2. It is the case of the petitioner that her daughter Kavitha, aged about 18 years was in love with the second respondent and that on 24.11.2015, she went missing from the College Hostel. On the complaint given by the petitioner on 25.11.2015, a case in Crime No.608 of 2015 has been registered for woman missing. The contention of the petitioner is that even though the first respondent has registered a case, no action has been taken to secure the detainee. Hence, the present Habeas Corpus Petition has been filed.

3. Today, when the matter was called, learned counsel appearing for the second respondent produced the detainee and the second respondent. He also produced the marriage certificate Sl.No.7 of 2015 dated 31.12.2015 showing that she got married to the second respondent on 27.11.2015 at K.V.S.Mahal Thirumana Mandapam, Thiruvallankadu. On enquiry the detainee states that she had love affair with the second respondent, who was her neighbour, for more than two years and since their parents were objecting to that affair, she decided to quit the hostel and marry him.

4. Recording the above-said submission, since the detainee is major as per the records, we are of the view 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(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
G-3 Melmaruvathur Police Station,
Kanchipuram District.
2. The Public Prosecutor,
High Court, Madras.

H.C.P.No.3162 of 2015

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