

In the High Court of Judicature at Madras

Dated: 29.01.2016

Coram

The Honourable **Mr.JUSTICE S.NAGAMUTHU**
and

The Honourable **Mr.JUSTICE P.N.PRAKASH**

Habeas Corpus Petition No.865 of 2015

Thirumalai

.... Petitioner

Vs.

1.State:rep
Inspector of Police
T-15 SRMC Police Station
Porur, Chennai 116
Crime No.271/2015

2.Harikrishnan
3.Deiveegan
4.Prabu
5.Dakshinamurthy
6.Nadarajan
7.Sumathi
8.Rukumani
9.Vijayalakshmi

.... Respondents

PETITION under Section 226 of The Constitution of India praying for the issuance of Writ of Habeas Corpus directing the respondent herein to produce the body and person of the detainee Minor girl by name Brindha D/o Thiurmalai, Hindu aged about 17 years, who has been illegally detained under the custody of 2 to 9 respondents herein before this Court and set her at liberty.

For Petitioner : Mr.Swami Subramanian
For R1 : Mr.A.N.Thambidurai
Additional Public Prosecutor

ORDER

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

This petition has been filed seeking a direction to the first respondent to produce the body and person of the detainee Minor girl, by name Brindha D/o Thiurmalai, Hindu aged about 17 years, who has been illegally detained under the custody of respondents 2 to 9 herein before this Court and set her at liberty.

2. It is the case of the petitioner that his daughter Brindha, aged about 17 years went missing, in connection with which a case in Cr.No.271 of 2015 for "girl missing" has been registered by T-15 SRMC Police Station, Porur, Chennai.

3. Today when the matter was called, learned Additional Public Prosecutor filed a Status Report, wherein it is stated that, the alleged detainee is in love with one Harikrishnan, the second respondent herein and that she has eloped with him. At the time the detainee went, she was a minor and now she has attained the age of majority. She has also sent a letter through the local Councillor stating that, she has left her parental home, since they were making arrangements for her marriage with a person not of her choice and that she has decided to marry Harikrishnan/the second respondent. Even according to the petitioner, the Date of Birth of the detainee is 27.09.1997 and as on date, she has crossed 18 years.

In view of the above, we are of the opinion that this is not a fit case to grant issuance of writ of Habeas Corpus. Accordingly, this Habeas Corpus Petition is closed with a direction to the respondent police to proceed with the investigation in Cr.No.271 of 2015 and keep the petitioner informed of the developments, if any.

(S.N.,J) (P.N.P.,J)

29.01.2016

gms

To

1.State:rep
Inspector of Police
T-15 SRMC Police Station
Porur, Chennai 116
Crime No.271/2015

2.The Public Prosecutor,
High Court, Madras.

S.NAGAMUTHU,J.
AND
P.N.PRAKASH,J.

gms

H.C.P.No.865 of 2015

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