

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2016

CORAM

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

and

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

H.C.P.No.1157 of 2016

Pushpavalli

...Petitioner

vs.

1.Inspector of Police,
Myladuthurai Police Station,
Myladuthurai, Nagapattinam.

2.M.Karthik

...Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus, to direct the first respondent to produce the petitioner's minor daughter viz.,Vidya, aged 16 years or her body and set her at liberty

For Petitioner : Mr.S.Manikandan

For Respondents : Mr.V.M.R.Rajentren
Additional Public Prosecutor for R1

O R D E R

[Order of the Court was made by S.Nagamuthu, J.]

The petitioner is the mother of one Ms.Vidya, whose date of birth is 28.05.1998. According to the petitioner, she has been found missing from 24.05.2016 onwards. Since she was not traced by the Police, the petitioner has come up with this Habeas Corpus Petition.

2. Today, when this Habeas Corpus Petition was taken up for hearing in the special list, the petitioner made appearance. The detainee Ms.Vidya was produced by the first respondent. When we enquired, she told this Court that her date of birth is 28.05.1998 and now she is a major. She further submitted that she has married the second respondent and settled down in

Chennai. When we further enquired as to whether she is willing go with the petitioner, she told us that she is not willing and instead, she preferred to remain in Chennai in the rented house, where she was living with her husband. The said statement is recorded.

3. In view of the said stand taken by the detainee, no relief as prayed for in this petition can be granted. The Habeas Corpus Petition, therefore, is dismissed, leaving it open for the detainee to choose her own way of life.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. Inspector of Police,
Myladuthurai Police Station,
Myladuthurai, Nagapattinam.

2. The Public Prosecutor,
High Court, Madras.

H.C.P.No.1157 of 2016

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