

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.06.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH
AND
THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

H.C.P.No.1219 of 2016

N.Anbalagan

.. Petitioner

Vs.

State: rep. by its

1. The Superintendent of Police,
Thiruvarur District.
2. The Deputy Superintendent of Police,
Nannilam Taluk, Thiruvarur District.
3. The Inspector of Police,
Nannilam Police Station,
Nannilam Taluk,
Thiruvarur District.

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Habeas Corpus to direct the respondents to produce the corpus of the detenu, by name Madhumitha, aged about 19 years, D/o N.Anbalagan, before this Court in accordance with law.

For petitioner : Mr.S.P.Elango

For respondents : Mr.A.N.Thambidurai, Addl.P.P.

ORDER

(The Order of the Court was made by R.Subbiah,J)

This petition is filed praying for issuance of a Writ of Habeas Corpus to direct the respondents to produce the corpus of the detenu, by name Madhumitha, aged about 19 years, daughter of the petitioner-N.Anbalagan, before this Court in accordance with law.

2. The petitioner is the father of the detainee-Madhumitha, who is aged about 19 years. The petitioner is employed in Muscat. The detainee is studying B.E. (second year) in King's College, Tanjore. On 18.05.2016, the petitioner's wife received a call from Mobile No.70927 19840, stating that their daughter was in their custody and immediately the caller disconnected the mobile call. Subsequently, on enquiry, it was found that their daughter was missing from the hostel of the college where she was studying. In this regard, the petitioner preferred a complaint before the third respondent-Police, which was registered in FIR.No.147 of 2016. Since the petitioner's daughter (detainee) could not be secured, this petition is filed by her father.

3. When the petition is taken up for hearing today, the detainee-girl Madhumitha is produced before this Court along with her husband-Madhavan, who is aged about 24 years. Learned Additional Public Prosecutor submitted that on enquiry by the third respondent-Inspector of Police, it is revealed that the detainee is in love affair with the said Madhavan and now both of them have got married. Even when the detainee is enquired by us, she expressed her willingness only to go with her husband-Madhavan. Since the detainee being major and not under illegal detention under anybody, this Court has no other option except to allow her to take her own decision. Hence, while setting her at liberty, this Court permits the detainee to go as per her wish, along with her husband-Madhavan. With these observations, the Habeas Corpus Petition is closed. The respondents are directed to complete the investigation in respect of the above said complaint registered in FIR.No.147 of 2016 in accordance with law at the earliest.

Sd/-

Assistant Registrar(CS V)

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Sub Assistant Registrar

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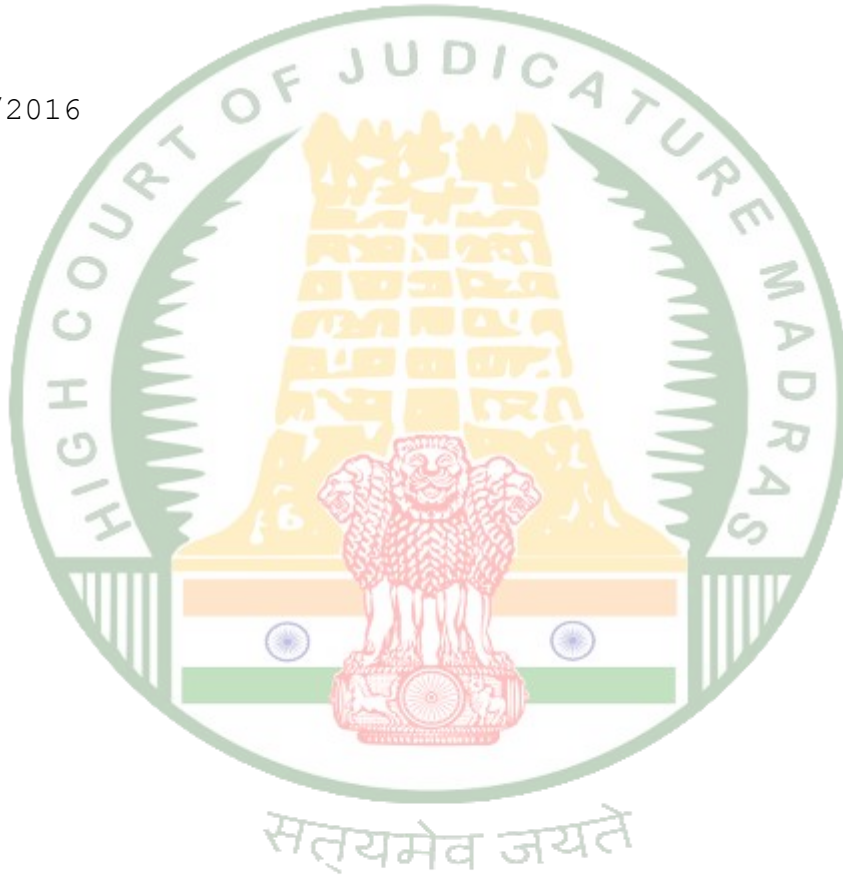
1. The Superintendent of Police,
Thiruvarur District.
2. The Deputy Superintendent of Police,
Nannilam Taluk, Thiruvarur District.

3. The Inspector of Police,
Nannilam Police Station,
Nannilam Taluk, Thiruvarur District.

4. The Public Prosecutor,
High Court, Madras.

H.C.P.No.1219 of 2016

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