

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.7.2016

CORAM

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
and
THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

H.C.P.No.1247 of 2016

Rajareegam Fernandez Petitioner

Vs

1. The Inspector of Police,
Chidambaram Taluk Police Station,
Chidambaram
Cuddalore District.

2.N.Kesavan Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS directing the 1st respondent to produce the body of the petitioner's daughter J.Jeniraj, aged 18 years, before this Court and set her at liberty.

For Petitioner : Mr. B.Nambiselvan

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

ORDER

(Order of the Court was made by V.BHARATHIDASAN, J.)

The petitioner is the mother of one J.Jeniraj, aged about 18 years. According to the petitioner, she was found missing from 24.05.2016, hence, the petitioner made a complaint before the 1st respondent. Based on the complaint a case has been registered in Cr.No.127/16 for 'woman missing' on the file of the first respondent. Despite the registration of the complaint, the first respondent has not taken any steps to secure the detainee. Hence, the petitioner has come up with this Habeas Corpus Petition.

2. We have heard the learned counsel for the petitioner and

the learned Additional Public Prosecutor appearing for the State. We have also perused the records carefully.

3. Today, when the matter was taken up for hearing, the learned Additional Public Prosecutor submitted that the investigation reveals that the detenue has eloped with the second respondent.

4. The petitioner is a major. Since it appears to be a case of elopement, we are not in a position to grant the relief as prayed for as there is no illegal detention.

5. Therefore, the Habeas Corpus Petition is dismissed. However, the first respondent is directed to continue the investigation and take steps to secure the detenue.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

kua

To

1. The Inspector of Police,
Chidambaram Taluk Police Station,
Chidambaram
Cuddalore District.

2.The Public Prosecutor,
High Court, Madras.

1 cc to M/s.B.Nambiselvan, Advocate, sr.39774

H.C.P.No.1247 of 2016

rj co
kra 10.08.2016

WEB COPY