

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2016

CORAM

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

H.C.P.No.1540 of 2016

N.Shanmugam

..

Petitioner

vs.

1.The Commissioner of Police,
Chennai City.

2.The Inspector of Police,
M 6, Manali Police Station,
Chennai - 600 068.

....

Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus to direct the respondents 1 & 2 to produce the petitioner's daughter S.Vishnu Priya, aged about 19 years resident of No.16, Dr.Radhakrishnan Street, Manali, Chennai - 600 068 before this Court and set her at liberty.

For Petitioner .. Mr.A.Anilan

For RR1 & 2 .. Mr.V.M.R.Rajentren,
Additional Public Prosecutor

O R D E R

सत्यमेव जयते

(The order of the Court was made by S.NAGAMUTHU.,J)

The petitioner is the father of one Ms.S.Vishnu Priya, aged 19 years. According to him, she has been found missing from 11.07.2016 onwards. She was doing II year degree course in St.Thomas Arts and Science College, Koyambedu, Chennai. Since she has not been secured by the Police, 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 and we have also perused the records carefully.

3.The learned Additional Public Prosecutor appearing for the respondents would brought to our notice that the detenue herein was eloped with one Mr.Ajeez, aged 19 years, who was studying at Quaide Millath College, Medavakkam. The father of Mr.Ajeez filed a petition in H.C.P.No.1492 of 2016 before this Court in respect of the missing of his son and the same was dismissed by this Court on 21.07.2016 with the observation that the respondent Police shall continue to investigate the matter and secure the detenu therein viz., Mr.Ajeez.

4.Thus, it is crystal clear that Mr.Ajeez and the detenue herein have eloped, out of love for each other, the detenue herein is a major, we are satisfied that there is no illegal detention and so we are unable to grant the relief as prayed for. Accordingly, this Habeas Corpus Petition is dismissed however, the respondent Police shall continue the investigation and proceed further in accordance with law.

jbm

-s/d-

Assistant Registrar (CS-V)

True Copy

Sub-Assistant Registrar

To

1.The Commissioner of Police,
Chennai City.

2.The Inspector of Police,
M 6, Manali Police Station,
Chennai - 600 068.

3.The Public Prosecutor,
High Court, Madras.

gj (co)
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