

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.10.2016

ORAM

THE HONOURABLE MR.JUSTICE M.JAICHANDREN
and
THE HONOURABLE MR. JUSTICE S. BASKARAN

H.C.P.No.2167 of 2016

S.Chandrasekaran

... Petitioner

vs

1.State of Tamil Nadu,
rep.by Commissioner of Police,
Greater Chennai,
Commissioner Office Building,
Chennai.

2.State, Inspector of Police,
Rayala Nagar Police Station,
Ramapuram, Chennai.

... Respondents

Prayer:- Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Habeas Corpus directing the respondents to trace out the petitioner's daughter, C.Kavitha, D/o.Chandrasekaran, now 26 years old, resident of No.83, Natham Lighi Chettiar Street, Arupukottai-626 101, produce her before this Hon'ble Court to enable her to join the petitioner, his wife and their family.

For Petitioner : Mr.T.K.S.Gandhi

For Respondents : Mr.V.M.R.Rajentren,
Addl. Public Prosecutor

O R D E R

(Order of the Court was made by M.JAICHANDREN,J.)

Heard the learned counsel appearing on behalf of the petitioner, as well as the learned Additional Public Prosecutor, appearing on behalf of the respondents.

2. This habeas corpus petition has been filed by the father of the detainee, namely, Kavitha, aged about 26 years, praying that this Court may be pleased to direct the respondent police to produce his daughter, before this Court, and to set her at liberty.

3. The petitioner has stated that his daughter, namely, Kavitha, was working at Dr.Mannar Rajagopalasami Arts and Science College, Mannarkudi, from the month of February, 2016. While so, it was learnt that one Arun Stalin, who was engaged in providing computer services in the said college, had been in love with the detainee. Further, it is stated that the detainee had gone missing, from 26.09.2016. Suspecting that the detainee may have been abducted by Arun Stalin, the petitioner had given a complaint, before the respondent police, on 26.09.2016. The said complaint had been given C.S.R.No.219 of 2016. Since no effective steps had been taken by the respondent police, to trace the detainee, the petitioner has come forward with the present habeas corpus petition, before this Court.

4. At this stage of the hearing of the habeas corpus petition, the learned Additional Public Prosecutor, appearing on behalf of the respondents had stated that the detainee had been produced before the Judicial Magistrate No.II, Thanjavur and a statement of the detainee had been recorded. A copy of the statement, made by the detainee, had been placed before this Court.

5. On a perusal of the said statement it could be seen that the detainee had stated that she had not been abducted or kept in the illegal custody by anyone. She has further stated that she would like to continue to work as a typist, in Dr.Mannar Rajagopalasami Arts and Science College, Mannarkudi.

6. In such circumstances, as the detainee is a major, at this point of time, we find it appropriate to set her at liberty and to carry on her life, as per her wish. Accordingly, the habeas corpus petition stands closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

1.The Commissioner of Police,
Greater Chennai,
Commissioner Office Building,
Chennai.

2.State, Inspector of Police,
Rayala Nagar Police Station,
Ramapuram, Chennai.

3.The Additional Public Prosecutor
High Court, Madras.

+1cc to Mr.T.K.S.Gandhi, Advocate Sr.59017

H.C.P.No.2167/2016

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srg 15/11/2016



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