

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2016

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN
and
THE HON'BLE MR.JUSTICE T.MATHIVANAN

H.C.P.No.2497 of 2016

Samuvel Jayaraj .. Petitioner

Vs

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
The Nilgiris District.
- 2.State by
the Inspector of Police,
All Women Police Station,
Coonoor, The Nilgiris.
- 3.Mathew Varghese .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS, directing the first and the second respondents to secure the body of the detenu, by name Helan Jemimah, daughter of Samuvel Jayaraj, produce her before this court and to set her at liberty.

For Petitioner : No appearance

For Respondents : Mr.V.M.R.Rajentran, APP for RR1 and 2
Mr.M.R.Radhakrishnan for detenu

ORDER

[Order of the Court was made by M.JAICHANDREN,J]

This Habeas Corpus Petition had been listed, under the special list, on the mentioning made by the learned Additional Public Prosecutor that the detenu had appeared before this Court.

2 This Habeas Corpus Petition has been filed by the

petitioner, praying that this Court may be pleased to issue a direction to the respondents 1 and 2 to secure the detinue, namely, Helan Jemimah, daughter of Samuvel Jayaraj and to produce her before this Court.

3 Today, when the matter had been taken up for hearing, the detinue was present before this Court, along with the counsel Mr.M.R.Radhakrishnan. On enquiry, the detinue had stated that she is residing, at Sharjah, along with her friends. She had stated that she does not want to go along with the petitioner, who is her father, as he is trying to give her in marriage to a person, against her wish. She had further stated that she has nothing to do with the third respondent herein.

4 In such circumstances, this Court is of the considered view that, since the detinue is aged about 31 years and she had expressed her unwillingness to go, along with the petitioner, it is appropriate to permit the detinue to go as per her wish. Accordingly, the detinue, Helan Jemimah, is permitted to go, as per her wish. No further orders are necessary in the Habeas Corpus Petition. Accordingly, the Habeas Corpus Petition stands closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vvk

To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
The Nilgiris District.
 - 2.The Inspector of Police,
All Women Police Station,
Coonoor, The Nilgiris.
 - 3.The Public Prosecutor,
High Court, Madras.
- +1cc to Mr.M.R.Radhakrishnan Advocate sr.73485

H.C.P.No.2497 of 2016

rsy(co)
ss(10/01/2017)