

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2016

CORAM

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

H.C.P.No.373 of 2016

A.Nallammal

... Petitioner

vs.

State by

1.The Sub Inspector of Police,
Nallur Police Station,
Nallur, Paramathivelur Taluk,
Namakkal District

2.Ramesh

... 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 first respondent to bring and produce the detenu by name Swetha (minor girl) now detained by the second respondent before this Court and set her at liberty.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.V.M.R.Rajendren,
Addl. Public Prosecutor
for R1

O R D E R

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

This matter has been listed in the special list today, on being mentioned by the learned Additional Public Prosecutor.

2. This habeas corpus petition has been filed by the mother of the detenu, namely, Swetha, aged about 17 years, praying that this Court may be pleased to direct the respondent police to produce her daughter, before this Court, and to set her at liberty.

3. It has been stated that the detenu, who was studying in 12th standard, at the Government Girls Higher Secondary School, Tiruchengode, Namakkal District, had gone

missing, from 16.02.2016. It has also been stated that the detainee had gone away with one Ramesh/the second respondent herein, who is her friend. Therefore, the petitioner had preferred a complaint before the first respondent police. The said complaint had been registered, on 17.02.2016, in Crime No.23 of 2016. Since no effective steps had been taken, to trace the detainee, the petitioner has come forward with the present habeas corpus petition, before this Court.

4. Today, when the matter was taken up for hearing, the first respondent police had produced the detainee before this Court. The mother of the detainee was also present. On enquiry, the detainee had stated that she is willing to go along with her mother and to continue her studies. The mother of the detainee had also stated that she would take care of her minor daughter.

5. In such circumstances, as no further orders are necessary, we are inclined to close the habeas corpus petition, setting the detainee at liberty, to go along with her mother, as per her wish. Accordingly, the habeas corpus petition stands closed. The respondent police is at liberty to record the statement from the detainee, under Section 164 of the Code of Criminal Procedure, 1973.

Sd/-
Assistant Registrar(AS)

//True Copy//

Sub Assistant Registrar

To

1.The Sub Inspector of Police,
Nallur Police Station,
Nallur, Paramathivelur Taluk,
Namakkal District

2.The Additional Public Prosecutor
High Court, Madras.

ppa (CO)
srg (04/04/2016)

H.C.P.No.373/2016