

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2016

CORAM

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

H.C.P.No.696 of 2016

B.Rajendran

... Petitioner

Vs.

1.The Superintendent of Police,
Villupuram, Villupuram District.

2.The Inspector of Police,
Vikravandi Police Station,
Villupuram District.

3.Ashok Kumar

... 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 herein to produce the daughter of the petitioner R.Thenmozhi 24 years before the Court and set her at liberty forthwith.

For Petitioner : Mr.C.Prabakaran

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

सत्यमेव जयते

ORDER

[Order of the Court was made by S.Nagamuthu, J.]

This Habeas Corpus Petition has been filed to direct the respondents to produce the petitioner's daughter by name Ms.R.Thenmozhi, aged 24 years, before this Court and set her at liberty forthwith.

2. 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 petitioner is the father of one Ms.R.Thenmozhi, aged 24 years. She was married to one Rajkumar. The marriage between them held during the year 2011 and out of the said marriage, she has got two children. According to the petitioner, from 18.02.2016, she has been found missing. Since she was not secured by the Police, the petitioner has filed this Habeas Corpus Petition.

4. Today when the matter was taken up for hearing, the petitioner made appearance along with his counsel.

5. The second respondent produced the detinue Ms.R.Thenmozhi. She informs the Court that her date of birth is 16.05.1992. She admits the marriage between her and Rajkumar and also the two children born out of the said wedlock. She submits that as of now, she is residing in Puducherry alone and doing some work. She expresses that she is not willing either to live with her father or with her husband. She further submits that she does not even want the children and she wants to live separately. The said submission is recorded.

6. Since the detinue herself has stated that she has not been detained illegally by anybody, no relief as prayed for by the petitioner could be granted. Hence, the Habeas Corpus Petition is dismissed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1.The Superintendent of Police,
Villupuram, Villupuram District.

2.The Inspector of Police,
Vikravandi Police Station,
Villupuram District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.C.Prabakaran, Advocate, S.R.No.29945

H.C.P.No.696 of 2016

SKV(CO)
CA(13/06/2016)