

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2016

CORAM

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

H.C.P.No.806 of 2016

P.Mariya Jayarani

...Petitioner

vs.

The State rep by
Inspector of Police,
M1, Madhavaram P.S.
Chennai.

...Respondent

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus to direct the respondents to produce the detainees namely her daughter Mariya Christy, wife of Jayaprakash, aged about 23 years and grand son, J.Alan Savera, son of Jayaprakash, aged about 2 1/2 years, before this Court and hand over their custody to the petitioner.

For Petitioner : Mr.P.Prince Premkumar

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

सत्यमेव जयते
O R D E R

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

The petitioner is the mother of one Mrs.Mariya Christy, wife of Mr.Jayaprakash, aged 23 years. She has got a male child aged 2 1/2 years by name J.Alan Savera. On the allegation that Mrs.Mariya Christy is found missing from 04.04.2016 along with her son J.Alan Savera, the petitioner has come up with this Habeas Corpus Petition.

2. Today, when the Habeas Corpus Petition was taken under the Special List, the petitioner did not appear, but the petitioner's elder sister Mrs.S.Fathima Mary made appearance.

3. The respondent produced both the detenues before this Court. When we enquired, Mrs.Mariya Christy told us that because of the torture meted out to her at the hands of her husband, she went with the child on her own and stayed with her friend at Thiruvottiyur. She has stated that she has not been detained illegally by anybody. She has further stated that now she wants to go back to her parental home accompanied by Mrs.S.Fathima Mary. The said statement is recorded.

4. Since the detainee herself has stated that she has not been detained illegally by anybody, we are convinced that there is no illegal detention. The detainee is at liberty to go to her parental home. The Habeas Corpus Petition, therefore, stands dismissed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

svki

To

1.The Inspector of Police,
M1, Madhavaram P.S.
Chennai.

2.The Public Prosecutor,
High Court, Madras.

1 cc to Mr.D.Muthukumar, Advocate, sr.32335

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kra 23.07.2016

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