



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.01.2016

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE P.R.SHIVAKUMAR
AND
THE HONOURABLE MR.JUSTICE V.S.RAVI**

H.C.P.(MD)No.1749 of 2015

S.Kalidhas

.. Petitioner

Vs.

1.The State rep. by the
The Deputy Superintendent of Police,
Tenkasi, Tirunelveli District.

2.The Sub Inspector of Police,
Puliyarai Police Station,
Shenkottaiah Taluk,
Tirunelveli District.

3.Dhas @ Maria Dhas
4.Karthik
5.Daniel
6.Manikantan

.. Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus to direct the second respondents 1 and 2 to produce the person or body of the petitioner's daughter - detenu Viz., Subhasree, aged about 19 years before this Court and set her at liberty.

For Petitioner : Mr.C.Kishore
For Respondents 1&2 : Mr.R.Ramachandran,
Additional Public Prosecutor

For respondents 3 to 6 : No appearance

ORDER

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

Though this case stands adjourned to 29.01.2016, since the alleged detenu is produced before this Court and as requested by the learned counsel for the petitioner and also the learned Additional Public Prosecutor, the hearing is advanced and the Habeas Corpus Petition is taken up for hearing.

<https://hcservices.courts.gov.in/hcservices/> is an application filed by the petitioner - Mr.S.Kalidhas to produce his daughter viz., Subhasree, aged about



19 years. It is stated in the affidavit filed in support of petition that the detenu has been missing from 12.08.2015 and based on the complaint given by the petitioner, a case has been registered in Crime No.114 of 2015.

3. Today, the second respondent has produced the detenu by name Subhasree. The petitioner is also present in the Court along with his counsel. The petitioner identified the detenu. On enquiry, the detenu has categorically stated that she is aged 19 years and she being a major, on her own volition, went to Mumbai along with her friend by name Sudha seeking employment in the month of August 2015 without informing her parents; that yesterday, she came back to Tenkasi and stayed in the house of her uncle by name Madasamy at Tenkasi; and that thereafter, the Police were informed and they came there and took her to be produced before this Court. It is her further statement that she was not abducted by anybody and she has not been detained by anybody and now she is willing to go along with her parents. The above statement of the detenu is recorded. From the assertion of the detenu that she, being a major, took her own decision to go to Mumbai without even informing her parents seeking employment, it is obvious that there was no abduction or illegal confinement of the detenu.

4. The Habeas Corpus Petition is, accordingly, disposed of.

Sd/-

Assistant Registrar(W)

/True Copy/

Sub-Assistant Registrar

To

1. The Deputy Superintendent of Police,
Tenkasi, Tirunelveli District.

2. The Sub Inspector of Police,
Puliyarai Police Station,
Shenkottaiah Taluk,
Tirunelveli District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

gcg

RL/4C/AAL/MPA/9/2/2016