

In the High Court of Judicature at Madras

Dated: 13.04.2017

Coram:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
and
THE HONOURABLE DR.JUSTICE ANITA SUMANTH

H.C.P.No.129 of 2017

Thangaraj

.. Petitioner

vs.

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

2.The Inspector of Police,
Sathyamangalam Police Station,
Sathyamangalam,
Erode District.

3.Vinoth

..... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus to direct the respondent to produce the detainee Mrs.Mythili, aged about 36 years, bodily or in person before this Court and set her at liberty.

For Petitioner .. Mr.R.P.Muruganraja

For Respondents.. Mr.V.M.R.Rajendran, Addl.P.P.
for R1 & R2

O R D E R

(The order of the Court was made by S.NAGAMUTHU,J.)

The petitioner is the father of the detainee-Mythili, aged 36 years. According to the petitioner, she has been found missing from 25.10.2016 onwards. In this regard, on a complaint made by the petitioner, a case has been registered. Since the girl was not secured, the petitioner has come up with this habeas corpus petition.

2. Today, when the matter came up for hearing, the learned Additional Public Prosecutor submitted that it is not the first occasion that the detainee has eloped with the third

respondent. On an earlier occasion also she eloped with the third respondent on her own volition and wish. Thus, according to the learned Additional Public Prosecutor, it is not the case of any illegal detention. It is a simple case of elopement of the detainee with the third respondent. The said statement is recorded.

3. In view of the above, no relief, as prayed for by the petitioner, could be granted. Therefore, this habeas corpus petition is dismissed, however with a direction to the respondent police to proceed with the investigation in accordance with law.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

To

- 1.The Superintendent of Police,
Superintendent of Police,
Erode District.
- 2.The Inspector of Police,
Sathyamangalam Police Station,
Sathyamangalam,
Erode District.
Chennai-600 069
- 3.The Public Prosecutor,
High Court, Madras.
- 4.The Joint Secretary to Government,
Public (L&O) Fort St.George, chennai.

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