

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2017

CORAM

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

H.C.P.No.264 of 2017

K.Mangai

... Petitioner

Vs.

1.The Deputy Commissioner of Police
Greater Chennai
R-1, Mambalam Police Station Campus
Chennai 600 017.

2.State rep by Inspector of Police,
R-1 Mambalam Police Station,
T.Nagar, Chennai-600 017.

3.R.Raghul,

4.Rajendran

5.Bakyalakshmi

...Respondents

Prayer : Habeas Corpurs Petition has been filed to issue a writ of Habeas Corpus or any other appropriate writ, order or direction in the nature of a Writ directing the 1st and 2nd respondents herein to produce the body of the petitioner's daughter namely Kokila Devi, aged about 24 years from the illegal custody of the 3rd to 5th respondents before this Court and set her at liberty at once.

For Petitioner : Mr.P. Anand

For RR1 & 2 : Mr.V.M.R.Rajendran,
Additional Public Prosecutor

For R3 & R.5 : Respondents 3 & 5 appeared
in persons.

For R.4 : No Appearance

ORDER

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

The petitioner is the mother of one Ms.Kokila Devi, aged 24 years. According to the petitioner, the respondents 3 to 5 have abducted the detenu on 01.07.2016 and detained her illegally. In this regard, on the complaint made by the petitioner, a case in Crime No.782/2016 for "girl missing" has been registered on the file of the R.1 Mambalam Police Station. Since, the girl has not been secured so far, the petitioner has come up with this Habeas Corpus Petition.

2.Today, as mentioned by the Additional Public Prosecutor, hearing was advanced and the case is listed in the special list at 2.15 pm. The detenu was produced by the respondent Police before this Court. We enquired her. She told that she has completed Bachelor of Engineering degree course and she has been working in a private company. She would further state that she has fallen in love with the third respondent and she also married him and now, she has been living with him as his wife. The respondents 4 & 5 are the parents of the third respondent. The fifth respondent is also appeared before this Court. She told us that the detenu and the third respondent are living together as husband and wife and the marriage between them has also been accepted by the family members.

3.The petitioner appeared before this Court along with her husband and elder daughter. According to them, since, the detenu has attained majority, she may take any decision about her future. They also tried to persuade her to take back her to the parental home. But, the detenu declined to go along with them. The detenu told that there is no illegal detention and she is willing to go along with the third respondent and to live with him as his wife. The said statement is recorded.

4.In view of the above, the Habeas Corpus Petition is dismissed leaving it open for the detenu to chose her own way of life. No costs.

Sd/-

Assistant Registrar

/ TRUE COPY /

Sub Assistant Registrar

jbm

To

1.The Deputy Commissioner of Police
Greater Chennai
R-1, Mambalam Police Station Campus
Chennai 600 017.

2.The Inspector of Police,
R-1 Mambalam Police Station,
T.Nagar, Chennai-600 017.

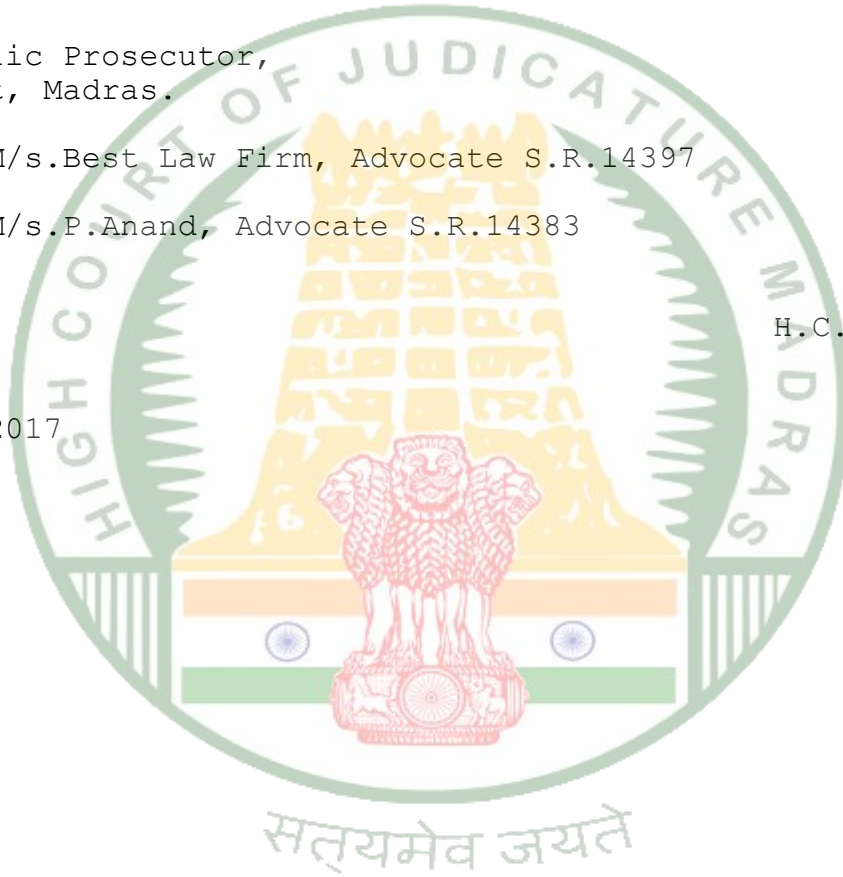
3.The Public Prosecutor,
High Court, Madras.

+2 cc to M/s.Best Law Firm, Advocate S.R.14397

+1 cc to M/s.P.Anand, Advocate S.R.14383

H.C.P.No.264 of 2017

RJ(CO)
VS 16.03.2017



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