

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2017

CORAM:

The Hon'ble Mr.Justice Nooty.Ramamohana Rao
and
The Hon'ble Mr.Justice S.M.Subramaniam

H.C.P. No. 822 of 2017

John

...Petitioner/Father of the
Detenue

Vs.

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

2. The Inspector of Police,
Poraiyar Police Station,
Nagapattinam District.

3. Surya prakash

...Respondents

Prayer:- This Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of habeas corpus, directing the 2nd respondent herein to produce the body and person of the detenue by name Johnsirani, D/o. John, Christian, aged about 21 years before this Court and set her at liberty.

For Petitioner सत्यमेव जयते : Mr. Milton Arul Rajendran

For Respondent 1&2 : Mr. V.M.R. Rajendran, APP

For Respondent 3 : Mr. S. Elumalai

O R D E R

(Order of the Court was delivered
by Nooty.Ramamohana Rao,J.)

This Habeas Corpus Petition is instituted by a hapless father for securing his daughter by name Johnsirani, who was studying I year M.Sc(Computer Science) course.

2. The police have produced before us the said Johnsirani and also Suryaprakash, the 3rd respondent herein.

3. After interacting with those two people, and also with parents, we are of the opinion that, the alleged detainee was born on 15th June, 1996 and thus being a major, can take a decision of her choice and she informs us that, she has not been abducted from and out of her home, as alleged by her father.

4. We can only leave the matter at that stage, preserving liberty to the petitioner's father to workout his remedies available under law.

The Habeas Corpus Petition stands dismissed accordingly.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

pbn/ak

To

1. The Superintendent of Police,
Nagapattinam,
Nagapattinam District.
2. The Inspector of Police,
Poraiyar Police Station,
Nagapattinam District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Elumalai, Advocate Sr. 42049

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SR(CO)
VR(27/06/2017)