

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.04.2017

CORAM

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

H.C.P No.551 of 2017

Shiva

.. Petitioner

Vs

1.The Superintendent of Police,
Vellore District.

2.The Deputy Superintendent of Police,
Ranipet, Vellore.

3.The State rep. By
Inspector of Police,
Ranipet Police Station,
Ranipet, Vellore District.

4.Prasad

... Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus to direct the third respondent Police to trace out and produce the petitioner daughter namely Sivasakthi aged about 17 years before this Court and also issue a direction to the third respondent Police to initiate legal action against the fourth respondent.

For Petitioner : Mr.V.Rajkumar

For RR1 to 3 : Mr.V.M.R.Rajentren,
Additional Public Prosecutor

WEB COPY
O R D E R

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

The petitioner is the father of one Ms.Sivasakthi. Her date of birth is 13.06.1998. She has been found missing from 27.02.2017 onwards. Since, she has not been secured by the Police, the petitioner has come up with this Habeas Corpus Petition.

2.Today, when the matter was taken up for hearing, the petitioner did not make appearance. His counsel alone appeared. In the affidavit filed in support of the petition, the petitioner has mentioned the date of birth of the detenue as 13.06.1999.

3.The respondent Police produced the detenue before this Court. She told us that she is a major and her date of birth is 13.06.1998. In this regard, she has produced a copy of the Transfer Certificate issued by the School wherein, the date of birth of the detenue has been mentioned as 13.06.1998. She would further told us that on her own accord, she went along with the fourth respondent, with whom she had love affair and married him on 23.02.2017. The marriage was also registered. Now, she has been living along with the fourth respondent as his wife. According to her, she has not been detained illegally by anyone. The said statement is recorded.

4.Since we are convinced that there is no illegal detention of the detenue and since, the detenue is a major, the Habeas Corpus Petition is dismissed leaving it open to the detenue to chose her own way of life.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

jbm
To

1.The Superintendent of Police,
Vellore District.

2.The Deputy Superintendent of Police,
Ranipet, Vellore.

3.The State rep. By
Inspector of Police,
Ranipet Police Station,
Ranipet, Vellore District.

4.The Public Prosecutor,
High Court, Chennai.

H.C.P.No.551 of 2017

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ss(24/5/2017)