

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2017

CORAM:

The Hon'ble Mr. Justice Nooty. Ramamohana Rao
and
The Hon'ble Mr. Justice Abdul Quddhose

H.C.P. No. 934 of 2017

S. Nirmala .. Petitioner

vs.

1. The Inspector of Police,
J-4, Kotturpuram Police Station,
Chennai.

2. The Commissioner of Police,
Greater Chennai,
Veppery, Chennai -7.

3. Ram Kumar

... 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 1st respondents to produce the body of the petitioner's daughter Shamily detinue before this Court and hand over her to the petitioner's custody.

For Petitioner : Mr. G. Ashok Kumar

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

For Respondent 3 : NA

ORDER

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

Pursuant to the notice issued by us, on 20th June 2017, the Police at Kotturpuram have done a good job in producing the alleged detinue as also the third respondent herein.

2. We had interacted with the alleged detinue, who was a 22 years old, graduate in Engineering. Having passed the said

course, she is fairly intelligent and articulate. She informed us that the third respondent has not abducted her as alleged or thought to be so, by her parents, but, she on her own, gone along with the third respondent, as both of them have fallen in love with each other. It appears that the third respondent is known to the family for a long time.

3. In the given circumstances and after interacting with the alleged detainee, we are convinced that there is no coercion or inducement behind the alleged detainee leaving her parental home, that decision was apparently taken by the detainee on her own.

4. In the given circumstances, the relief sought for in this Habeas Corpus Petition could not be accorded and hence this Habeas Corpus Petition is dismissed.

5. The alleged detainee is at liberty to go about leading her life on terms which are suitable to her.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

ak/tsi

To

1. The Inspector of Police,
J-4, Kotturpuram Police Station,
Chennai.
2. The Commissioner of Police,
Greater Chennai,
Veppery, Chennai -7.
3. The Public Prosecutor, High Court, Madras.
4. The Joint Secretary to Government
Public (Law & Order)
Fort St.George, Chennai-9

H.C.P. No. 934 of 2017

SCD(CO)
CS/20/07/17