



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.10.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.SUBBIAH
AND
THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

H.C.P.[MD].No.1113 of 2017

Indhirani : Petitioner

Vs.

1.The Superintendent of Police,
Superintendent of Police Office,
Pudukkottai Town & District.

2.The Inspector of Police,
Aranthangi Police Station,
Pudukkottai District.

3.Parthipan : Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the body of the petitioner's daughter/ detenu, Sharmila, aged about 18 years, D/o.Karuppaiah from the clutches of the third respondent herein before this Court and set her at liberty.

For Petitioner : Mr.C.Nagamuthu

For Respondents 1 & 2 : Mr.A.Ramar
Additional Public Prosecutor

O R D E R

[Order of the Court was made by R.SUBBIAH, J.]

The present Habeas Corpus Petition has been filed by the mother of the detenu, seeking a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the person or body of the detenu, namely, Sharmila, aged about 18 years, before this Court and set her at liberty.

2. According to the petitioner, her daughter - Sharmila was born on 15.07.1998 and completed Diploma Course. On 15.07.2017, she went for shopping, but, she did not return back home. In this



regard, the petitioner made a complaint before the second respondent on 17.07.2017. Since there were no effective steps taken by the second respondent police to trace out the detenu, the petitioner has come up with the present Habeas Corpus Petition.

3. Today, when the Habeas Corpus Petition was taken up for consideration, the second respondent police produced the detenu before us. On enquiry, she has stated that she is aged about 18 years and since she is having love affair with the third respondent, on her own volition, she went out of the home along with him and married him in a temple at Salem. She has further stated that she is not in illegal custody.

4. When we enquired the mother of the detenu, she has stated that she has no objection for the marriage held between her daughter and the third respondent and she has also no objection for the detenu being sent along with the third respondent.

5. In view of the above, since the detenu is not in illegal custody, in our considered view, nothing survives for adjudication in the Habeas Corpus Petition. Hence, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(C.O)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Superintendent of Police,
Superintendent of Police Office,
Pudukkottai Town & District.
- 2.The Inspector of Police,
Aranthangi Police Station,
Pudukkottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

NB

RL/4C/2P/KP/SAR1/11/10/2017

ORDER MADE IN

H.C.P. [MD].No.1113 of 2017