



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBBIAH**

AND

THE HONOURABLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

H.C.P.[MD].No.1196 of 2017

Mangaiyarkarasi

: Petitioner

Vs.

1. The Superintendent of Police,
Office of the District Police Superintendent,
Thanjavur.

2. The Inspector of Police,
Kumbakonam West Police Station,
Thanjavur, Crime No.331/2017, dated 12.07.2017.

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents to produce the body of the detenu, namely, Chandraleka, D/o.Mangaiyarkarasi, the petitioner herein and D/o.Late [Kirubanantham], aged about 21 years, before this Court and set her at liberty.

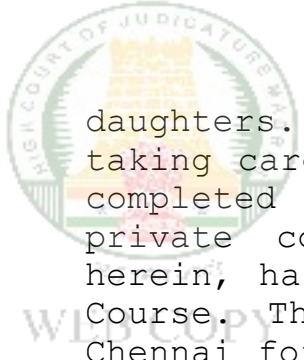
For Petitioner : Mrs.P.Yasmin Begum

For Respondents : 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 to produce the person or body of the detenu, namely, Chandraleka, D/o.Mangaiyarkarasi, the petitioner herein and D/o.Late [Kirubanantham], aged about 21 years, before this Court and set her at liberty.



daughters. After the demise of her husband, the petitioner is taking care of her children. His first daughter - Sundarlekha has completed college studies and at present, she is working in a private concern in Chennai. Her second daughter, the detenu herein, has completed B.Com., and has been waiting to join in Law Course. The petitioner made all arrangements for her to go to Chennai for attending the Counselling. While so, on 09.07.2017, at about 11.00 AM, she took the detenu to Kumbakonam New Bus Stand to send her to Chennai for attending the Law Counselling. Accordingly, the detenu went to Chennai. Thereafter, the petitioner could not contact the detenu over phone and her mobile phone was switched off. In this regard, the petitioner made a complaint before the second respondent police. On receipt of the said complaint, the second respondent police registered a case in Crime No.331 of 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. When we enquired the detenu, she has stated that she is aged about 21 years. She has further stated that she is not in illegal custody and now she is willing to go along with the petitioner.

4. 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(AD-II)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Office of the District Police Superintendent,
Thanjavur.
2. The Inspector of Police,
Kumbakonam West Police Station,
Thanjavur.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

NB

AE/KP/SAR2/24.10.2017/2P/4C