



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

AND

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

HABEAS CORPUS PETITION(MD) .No.124 of 2017

M.Rajaguruvu

: Petitioner

Vs.

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

2. The Deputy Superintendent of Police,
Virudhunagar,
Virudhunagar District.

3. The Inspector of Police,
Amathur Police Station,
Virudhunagar District.
(In Crime No.5 of 2017)

4. Priya.

: Respondents

Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus directing the respondents 1 to 3 herein to produce the person or body of the detenu namely Miss.Amutha, D/o Rajaguruvu, aged about 20 years before this Honourable Court and set her at liberty from the illegal custody.

For Petitioner : Mr.G.Marimuthu

For Respondents : Mr.K.S.Duraipandian

Additional Public Prosecutor

O R D E R

Heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondents 1 to 3.

2. This Habeas Corpus Petition has been filed by the petitioner herein under article 226 of the Constitution of India seeking an order directing the respondents to produce the



petitioner's daughter viz., Amutha aged about 20 years, who is under the illegal custody of the fourth respondent, before this Court and set her at liberty.

3. In the affidavit, it is stated that petitioner is a coolie worker and the detinue is the fourth daughter of the petitioner. The date of birth of the detinue is 10.05.1996. She studied upto 6th standard. Last three years, she has been working in the Sivasakthi Spinning Mill, Senjeri, Pollachi District as a casual labour. Thereafter, from 24.12.2016, the detinue was missing. Hence, the petitioner has given a complaint to the third respondent police. But no action is taken by the third respondent police. Hence, the present Habeas Corpus Petition.

4. When the matter is taken up today for hearing, the detinue was produced before this Court and on enquiry, she said that the petitioner is making arrangements for her marriage against her wish and therefore, she left the home and presently she is working in a private mill at Coimbatore and she is not willing to go along with the petitioner.

5. In view of the statement given by the petitioner and since the petitioner is a major, this Court has no other alternative except to allow her to take her own decision. Hence, we are of the view that nothing could be adjudicated in the Habeas Corpus Petition and accordingly, the same is closed.

Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Virudhunagar District, Virudhunagar.
2. The Deputy Superintendent of Police,
Virudhunagar, Virudhunagar District.
3. The Inspector of Police,
Amathur Police Station,
Virudhunagar District.
4. The Additional Government Pleader,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.G.MARIMUTHU, Advocate, SR No. 5602

RJ2

PSM/CM-MSA/24.02.2017/2P/6C