



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 05.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

AND

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

H.C.P.[MD].No.1399 of 2017

Subbiah

.. Petitioner

Vs.

1.The Superintendent of Police,
O/o.Superintendent of Police,
Dindigul District.

2.The Inspector of Police,
Natham Police Station,
Dindigul District.

3.Satheesh

.. Respondents

PRAYER: Habeas Corpus Petition has been filed under Article 226 of the Constitution of India, praying to direct the respondents 1 to 3 to secure and produce the body of the detenu / petitioner's daughter viz., Karpakam, aged about 23 years, D/o.Subbiah, before this Court and set her at liberty.

For Petitioner : Mr.S.Mahalingam

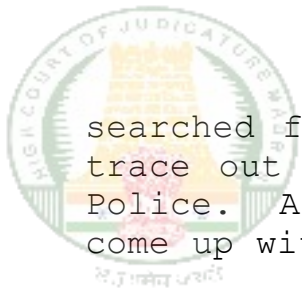
For respondents 1 & 2 : Mr.A.Ramar,
Addl. Public Prosecutor

For 3rd respondent : Mr.T.Lenin Kumar

ORDER

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

The detenu is the daughter of the petitioner, aged about 19 years. In the affidavit, it has been stated that the petitioner's daughter by name Karpagam was studying Bachelor degree in Physics in a college at Natham. Last year, the third respondent came to the house of the petitioner and expressed his willingness to marry her daughter viz., the detenu. On enquiry, the petitioner came to know that the third respondent was already married and was having two children. Thereafter, the petitioner shifted his family to his native village. However, the third respondent was continuously making interference with the petitioner's family and finally, the third respondent abducted the petitioner's daughter with gold chain and a sum of Rs.25,000/-. Thereafter, the petitioner



searched for his daughter in several places. Since he could not trace out her, finally he lodged a complaint with the respondent Police. As there was no response to the same, the petitioner has come up with this petition.

2.Today, when the matter was taken up for hearing, the detenu was produced before this Court. The petitioner and his wife were also present. When we enquired, the detenu told that she is a major and she, on her own accord, went along with the third respondent. She has further stated she is not in the illegal custody of the third respondent. The detenu also expressed her unwillingness to go along with her parents. The said statement is recorded.

3.In view of the above and in view of the fact that the detenu is a major and she told that she is not in the illegal custody, nothing survives for adjudication in this petition. Hence, this Habeas Corpus Petition is closed with liberty to the detenu to choose her own way of life.

Sd/-

Assistant Registrar(AD-II)

/True copy/

Sub Assistant Registrar

To

- 1.The Superintendent of Police,
O/o.Superintendent of Police,
Dindigul District.
- 2.The Inspector of Police,
Natham Police Station,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.T.LENINKUMAR,Advocate,SR.81749

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