



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 05.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

AND

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

H.C.P.[MD].No.1414 of 2017

S.Shanmugasundaram

: Petitioner

Vs.

1.State rep by
The Superintendent of Police,
Tirunelveli District, Tirunelveli.

2.The Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.

3.Tamilselvan

: 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 person or body of the petitioner's brother's daughter, namely, K.Sangeetha, aged about 17 years, before this Court and hand over the detenu to the petitioner.

For Petitioner : Mr.A.D.Ganesha Moorthi

For Respondents 1&2 : Mr.C.Ramesh
Additional Public Prosecutor

For Respondent No.3 : No Appearance

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 junior paternal uncle of the detenu, seeking a Writ of Habeas Corpus, directing the respondents to produce the person or body of the detenu, namely, K.Sangeetha, aged about 17 years, before this Court and hand over the detenu to the petitioner.

2. According to the petitioner, his brother's daughter was missing from 11.09.2017, onwards. On enquiry, he came to know that the third respondent had abducted the detenu in a two wheeler. In this regard, the petitioner made a complaint before the second respondent. 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 detinue. When we enquired the detinue, she has stated that she is aged about 17 years and since the petitioner arranged for her marriage, against her wishes, she went along with the third respondent to Chennai, where she was working in a private company. The detinue has further stated that now she is willing to go along with her mother.

4. We have enquired the petitioner and the mother of the detenu, who is present in Court.

5. In view of the above submission made by the detinue, recording the same and handing over the custody of the detinue to her mother, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (Writs)

/True copy/

Sub Assistant Registrar

To

The Superintendent of Police,
Tirunelveli District, Tirunelveli.

2.The Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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