

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 24.10.2017

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CORAM:

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

H.C.P. (MD) No.1424 of 2017

G.Vinoth Kumar

: Petitioner

Vs.

1. The Superintendent of Police,
Trichy District.

2. The Inspector of Police,
Srirangam Police Station,
Trichy District.

3. The Sub Inspector of Police,
Srirangam Police Station,
Trichy District.

4.Mr.N.Venkatesh

5.Mrs.Nagu

6.Mr.Krishnan

7.Jambunathan

8.Ramesh Raja

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Habeas Corpus, to direct the respondents 1 to 3 herein to produce the body and person of the petitioner's daughter namely, Mrs.Malini, D/o.G.Vinoth Kumar, aged about 23 years from the illegal custody of the respondents 4 to 8 herein, before this Court and set her at liberty.

For Petitioner : M/s.V.Janakiramalu

For R1 to R3 : Mr.A.Ramar

Additional Public Prosecutor

For R4 to R8 : No appearance

**ORDER**

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

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The present Habeas Corpus Petition has been filed by the father of the detenu, seeking a Writ of Habeas Corpus, directing the respondents 1 to 3 to produce the body and person of the petitioner's daughter namely, Mrs.Malini, D/o.G.Vinoth Kumar, aged about 23 years from the illegal custody of the respondents 4 to 8, before this Court and set her at liberty.

2.Heard M/s.Janakiramalu, learned counsel appearing for the petitioner and Mr.A.Ramar, learned Additional Public Prosecutor appearing for the respondents 1 to 3.

3.In the affidavit filed in support of the Habeas Corpus Petition, it has been averred that the petitioner is the father of the detenu and he is a car driver and he is having two daughters. The second daughter namely, Malini, who is the detenu herein, was studying B.Sc. Nursing Course in Nehru Medical College at Trichy. It is further represented that on 13.09.2017 at 7.30 a.m., his daughter went to the college but, she has not returned back to home. Subsequently, he came to know that the detenu did not come to the college on 13.09.2017 and on further enquiry, he came to know that the fourth respondent, namely Venkatesh, who is said to have followed the detenu, would have abducted her by giving false promise. Hence, the petitioner made a complaint before the respondents 2 and 3. On receipt of the said complaint, the respondents 2 and 3 registered a case on 14.09.2017 in Crime No.752 of 2017. Since there were no effective steps taken by the respondents 2 and 3, the petitioner has come up with the present Habeas Corpus Petition.



4. Today, when the Habeas Corpus Petition was taken up for consideration, the respondents 2 and 3 produced the detenu. When we enquired the detenu, she has stated that on her own volition, she went along with the fourth respondent and married him on 14th September 2017 in a temple and she is a major, aged about 23 years. She has further stated that she is not willing to go along with the petitioner.

5. In view of the above, since the detenu is a major and she is not willing to go along with the petitioner, 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,
Trichy District.
2. The Inspector of Police,
Srirangam Police Station,
Trichy District.
3. The Sub Inspector of Police,
Srirangam Police Station,
Trichy District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
H.C.P. (MD) No.1424 of 2017
24.10.2017