



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.10.2017

CORAM:

WEB COPY

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

H.C.P.[MD].No.1426 of 2017

Jeyarani

: Petitioner

Vs.

State represented by,

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

2. The Inspector of Police,
Peraiyur Police Station,
Ramanathapuram District.

3. Jainjayapal

: 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 detenu namely Shalini, daughter of Sekar, aged about 19 years before this Court and set her at liberty.

For Petitioner : Mr.S.Muniyandi

For Respondents : Mr.A.Ramar

Additional Public Prosecutor
for R.1 and R.2

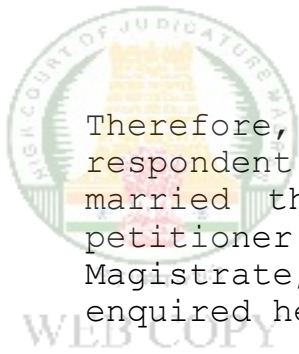
: Mr. A.Ananda Raj for R.3

O R D E R

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

This Habeas Corpus Petition is filed by the petitioner seeking a direction to the respondents to produce the person or body of detenu namely Shalini, daughter of Sekar, aged about 19 years before this Court and set her at liberty.

2. The detenu is the daughter of the petitioner, who is aged about 19 years. The petitioner's daughter/ detenu is studying 2nd year degree course at Ladydock College, Madurai. On 19.08.2017, she went to her college and thereafter she did not return back to her house. The petitioner went to the college and enquired about her daughter, however she could not get proper reply from the college.



Therefore, the Petitioner lodged a complaint before the second respondent. The second respondent verified that the third respondent married the petitioner's daughter on 14.07.2017. Therefore, the petitioner's daughter was brought before the learned Judicial Magistrate, Kamuthi. The learned Judicial Magistrate, Kamuthi enquired her and set her at liberty.

3. The petitioner would aver among other things in the affidavit that the detenu is under the custody of the third respondent and the third respondent is aged about 39 years and the detenu is aged about 18 years and two months. She would further submit that the third respondent is having illegal activities and on false statement given by the third respondent, the detenu married the third respondent. Hence, the petitioner has come forward with this petition.

4. Today, when the matter was taken up for consideration, the detenu was present before us. When we enquired the detenu, she would state that on her own volition, she went with the third respondent and she is not in illegal custody of the third respondent. She has also expressed her unwillingness to join with the petitioner.

5. In view of the above, since the detenu is a major, we are of the opinion that nothing survives for adjudication in the Habeas Corpus Petition. Hence, this Habeas Corpus Petition is closed.

Sd/-
Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
2. The Inspector of Police,
Peraiyur Police Station,
Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CP/SSL
TE/KP/SAR-IV : 13/10/2017 : 2P/4C