



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBBIAH**

AND

THE HONOURABLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

H.C.P. [MD] .No.1436 of 2017

P.Palanisamy : Petitioner

Vs.

1. The Superintendent of Police,
O/o.Superintendent of Police,
Virudhunagar District.
2. The Inspector of Police,
Vannaiyampatti Vilakku Police Station,
Virudhunagar District.

3.Muthukrishnan : Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to secure and produce the body of the detenu, the petitioner's daughter, namely Sailamuthu, aged 21 years before this Court and set her at liberty.

For Petitioner : Mr.A.Jayaramachandran
For Respondents 1 & 2 : Mr.A.Ramar
Additional Public Prosecutor
For Respondents 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 father of the detenu, seeking a Writ of Habeas Corpus, directing the respondents to produce the person or body of the detenu, namely, Sailamuthu, D/o.P.Palanisamy, aged 21 years before this Court and set her at liberty.

2. According to the petitioner, he is the father of the detenu, Sailamuthu, aged about 21 years. The detenu was missing from 21.08.2017, at about 9.00 a.m. When she left the home, she



was wearing 3-1/2 sovereigns of gold chain and was possessing a mobile. The petitioner called her through mobile, but the mobile was switched off. Finally, the petitioner lodged a complaint before the second respondent police on 23.08.2017 and the same was registered in Crime No.134 of 2017 as 'Woman Missing'. Thereafter, he made a representation to the first respondent on 11.09.2017. Since there were no effective steps taken by the 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 respondent police produced the detenu. When we enquired the detenu, she has stated that on her own volition, she went along with the third respondent and married him on 21.08.2017 at Puliyangudi Murugan Temple. She has further stated that she is not in illegal custody and she also expressed her willingness to go along with her husband / the third respondent.

4. In view of the above, since the detenu is not in illegal custody, in our considered view, nothing survives for adjudication in the Habeas Corpus Petition. Hence, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
O/o.Superintendent of Police,
Virudhunagar District.
2. The Inspector of Police,
Vanniayampatti Vilakku Police Station,
Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

RM

AE/MR KKR/SAR1/20.11.2017/2P/4C