



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.10.2017

CORAM:

THE HONOURABLE MR. JUSTICE R. SUBBIAH

AND

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

H.C.P. (MD) No. 1542 of 2017

K. Natchammal : Petitioner

Vs.

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

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

3. Karthick

4. Murugesan

5. Vijaya : 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 and 2 herein to produce the person or body of the detenu namely Nivetha D/o. Kasilingam aged about 24 years before this Court and set her at liberty.

For Petitioner : Mr. R. Sureshkumar
For Respondents : Mr. A. Ramar for R1 and R2
Additional Public Prosecutor
Mr. Alaguram Jothi for detenu

ORDER

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

The petitioner is the mother of the detenu, viz., Nivetha, aged 24 years. The detenu is married to one Muniyandi and due to the wedlock, a male child was born to her, by name, Binarav. The petitioner's son-in-law went abroad for work and therefore, the detenu is living with the petitioner herein along with her child in her parental house. While so, the detenu went missing on 03.10.2017. Later on, they came to know that the third respondent abducted the detenu. Therefore, the petitioner lodged a complaint with the respondent police and a case has been registered in Crime No. 302/2017 under Section 366 IPC on 07.10.2017. Since, no



effective steps have been taken, the petitioner is before this Court with this petition.

2. Heard the learned counsel for the petitioner, the learned Additional Public Prosecutor for the respondents 1 and 2 and the learned counsel for the detenu.

3. Today, when the matter was taken up for hearing, the detenu was produced by the respondent police.

4. On enquiry, the detenu categorically stated that due to some misunderstanding with her mother/the petitioner herein, she left her parental home on her own volition. She has further stated that she is not in the illegal custody of any one.

5. In view of the submission made by the detenu, nothing survives for adjudication in this petition. Accordingly, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

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

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

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

RR

MAS/SV-MMS/SAR2:02.11.2017:2P-4C

Order made in
H.C.P. (MD) No. 1542 of 2017
Dated: 23.10.2017