



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.1537 of 2017**

S.Nagarajan

: Petitioner

Vs.

1. The Superintendent of Police,
Kanyakumari District,
Nagercoil.
2. The Inspector of Police,
Kottar Police Station,
Kottar, Kanyakumari District.
3. The Inspector of Police
Mandaikadu Police Station,
Mandaikadu, Kanyakumari District.

4.B.Mujeeb Rahuman

5. Sajeena @ Geethamani

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents 1 to 3 to produce the body of the petitioner's daughter, namely, N.Jothilakshmi, aged 21 years, who is under the illegal custody of the respondents 4 and 5 before this Court and set him at liberty.

For Petitioner

: Mr.V.Baskaran

For Respondents 1 to 3

: Mr.A.Ramar

Additional Public Prosecutor

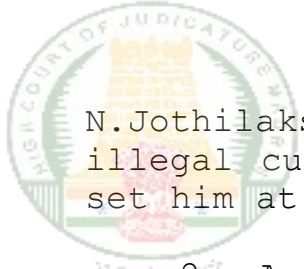
For Respondents 4 & 5

: 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 1 to 3 to produce the body of the detenu, namely,



N.Jothilakshmi, D/o.S.Nagarajan, aged 21 years, who is under the illegal custody of the respondents 4 and 5 before this Court and set him at liberty.

2. According to the petitioner, he is the father of the detenu, namely, N.Jothilakshmi, aged about 21 years, studying B.E. Civil Engineering III year in Arunachala Women Engineering College, Kanyakumar District. The detenu was missing from 03.08.2017. The petitioner came to know that the fourth respondent would have kidnapped her daughter and hence the petitioner lodged a complaint before the second respondent police on 21.08.2017 and the same was registered in Crime No.496 of 2017 under the 'Woman Missing case'. 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 fourth respondent and married him. She has further stated that she is not in illegal custody and she also expressed her willingness to go along with her husband / the fourth 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/-

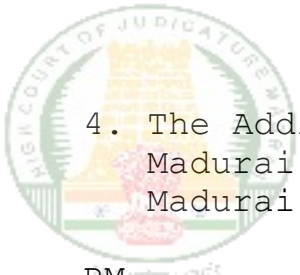
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Kanyakumari District,
Nagercoil.
2. The Inspector of Police,
Kottar Police Station,
Kottar, Kanyakumari District.
3. The Inspector of Police
Mandaikadu Police Station,
Mandaikadu, Kanyakumari District.



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

RM கனக ஜயந்தி

AE/MR KKR/SAR1/20.11.2017/3P/5C

**ORDER MADE IN
H.C.P. [MD] .No.1537 of 2017
06.11.2017**