



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

AND

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

H.C.P. (MD) No.1599 of 2017

Vanaja

: Petitioner

Vs.

1. The Superintendent of Police,
Kanyakumari District,
Nagercoil.

2. The Inspector of Police,
Kaliyakavilai Police Station,
Kanyakumari District.

3. Starbin

4. Rajesh

: 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 to produce the body or person of the detenu by name, Saini Pringle, D/o.Jeyaraj, aged about 19 years, who has been illegally detained by the respondents No.3 and 4 and produce her before this Court and set her at liberty.

For Petitioner

: Mr.K.P.Narayanakumar

For R1 and R2

: Mr.C.Ramesh

Additional Public Prosecutor

For R3 & R4

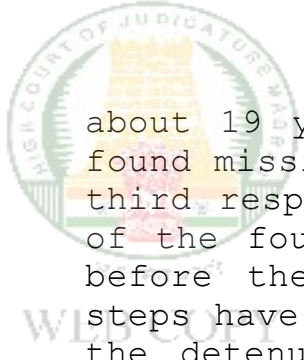
: No appearance

ORDER

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

The present Habeas Corpus Petition has been filed by the mother of the detenu, seeking a Writ of Habeas Corpus, directing the respondents to produce the body or person of the detenu by name, Saini Pringle, D/o.Jeyaraj, aged about 19 years, who has been illegally detained by the respondents No.3 and 4 and produce her before this Court and set her at liberty.

2. In the affidavit, it has been averred that the petitioner is the mother of the detenu namely, Saini Pringle, D/o.Jeyaraj, aged



about 19 years. It is alleged that on 07.10.2017 the detenu was found missing and on enquiry, the petitioner came to know that the third respondent abducted and kidnapped the detenu with the help of the fourth respondent. Hence, the petitioner made a complaint before the second respondent on 08.10.2017. Since no effective steps have been taken by the second 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 learned Additional Public Prosecutor produced a copy of the statement given by the detenu before the respondent police to the effect that on her own accord she left the house and married the third respondent and she will not claim any articles from her mother. The mother of the detenu also gave a statement before the respondent police and on the statement of the petitioner/mother, the complaint has been closed by the respondent police.

4. In view of the above, since the detenu is a major aged about 19 years 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(T&P)

/True Copy/

Sub Assistant Registrar

To

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

+1cc to Mr.K.P.Narayanakumar, Advocate Sr.No.90924

NS

VB/SKN/RSK/SAR3/27/12/2017/2P/5C