



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.11.2017

CORAM:

WEB COPY

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

H.C.P. (MD) No.1623 of 2017

Nagalakshmi : Petitioner
vs.

1. The Superintendent of Police,
Sivagangai, Sivagangai District

2. The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District

3. Karuppiah

4. Veerayee : 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 to produce the person or body of the detenu by name Backiavalli, wife of Karuppiah, aged 31 years, before this Court and set her at liberty.

For Petitioner : Mr.M.Beema Rao

For Respondents : Mr.C.Mayilvahana Rajendran
for R1 & R2 Additional Public Prosecutor
No appearance for R3 and R4

ORDER

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

The petitioner is the mother of the detenu. She has come forward with this petition to produce her daughter, viz, Backiavalli. In the affidavit filed in support of the petition, it is alleged that her daughter eloped with the third respondent and got married on 08.06.2017. However, the detenu called the petitioner over phone and told that she was harassed by the respondents 3 and 4. Thereafter, she did not receive any phone calls. Therefore, the petitioner has preferred a complaint to the



respondent police on 25.10.2017. Since no effective steps were taken to secure the detenu, the petitioner is before this Court with this petition.

2. Today, when the matter was taken up for consideration, the detenu was produced by the respondent police. On enquiry, she has stated that since the marriage had taken place against her wish, she, on her own accord, left the matrimonial home and went along with one Malaichamy. She has further stated that she is not in the illegal custody of anybody and expressed her willingness to go along with Malaichamy.

3. In view of the statement made by the detenu, we are of the view that nothing survives for adjudication in this Habeas Corpus Petition. Accordingly, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

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

+1cc to Mr.M.Beema Rao, Advocate Sr.No.87059

RR

VB/KK/SAR1/28/11/2017/2P/5C

Order made in
H.C.P. (MD) No.1623 of 2017
14.11.2017