



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

AND

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

H.C.P. (MD)No.1639 of 2017

M.Santha

: Petitioner

Vs.

1. The Commissioner of Police,
Madurai City,
Madurai.

2. The Inspector of Police,
Theppakulam Police Station,
Madurai City,
Madurai.

3. Chitraipandi

: 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 body or person of the detenu namely Puvana, D/o.Late.Balamohan, aged about 26 years, before this Court and set her at liberty.

For Petitioner

: Mr.T.Nagarajan

For R1 and R2

: Mr.A.Ramar

Additional Public Prosecutor

For R3

: J.Sulthan Basha for

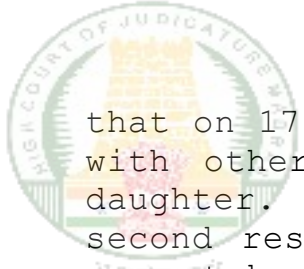
M/s.Ajmal Associates

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 1 and 2 to produce the body or person of the detenu namely Puvana, D/o.Late.Balamohan, aged about 26 years, before this Court and set her at liberty.

2.In the affidavit filed in support of this petition, it has been averred that the petitioner is the mother of the detenu - Puvana, D/o.Late.Balamohan, aged about 26 years and the detenu was working in a Departmental Store and the third respondent herein was also working in the same Departmental Store. It is alleged



that on 17.10.2017 at about 11.00 a.m., the third respondent along with other rowdy elements came to her house and kidnapped her daughter. Hence, the petitioner preferred a complaint to the second respondent police on 20.10.2017. Since no effective steps were taken by the second respondent police, the petitioner has filed the present Habeas Corpus Petition.

3.Today, when the matter was taken up for consideration, the respondent police produced the detenu. When we enquired the detenu, she has stated that on her own accord, she went along with the third respondent herein and the detenu married the third respondent on 22.10.2017 at Thiruchendur Temple. She has further stated that she is not in illegal custody of the third respondent.

4.In view of the above, since the detenu is a major aged about 26 years and is not in illegal custody of the third respondent, in our considered opinion, nothing survives for adjudication in the Habeas Corpus petition. Hence, the Habeas Corpus Petition is closed.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
Madurai City,
Madurai.
2. The Inspector of Police,
Theppakulam Police Station,
Madurai City,
Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/s.Ajmal Associates, Advocate Sr.No.88935

NS

VB/KP/SAR3/11/12/2017/2P/5C

Order made in
H.C.P. (MD) No.1639 of 2017
22.11.2017