



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.11.2017

CORAM:

WEB COPY

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

**H.C.P. (MD) No.1672 of 2017**

G.Rajalakshmi : Petitioner

Vs.

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

2. The Inspector of Police,  
Alangulam Police Station,  
Vembakkottai Police Circle,  
Virudhunagar District.

: Respondents

**PRAYER:** Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Habeas Corpus, directing the 2<sup>nd</sup> respondent to secure and produce the person or body of the detenu, the petitioner's daughter INDHIRALAKSHMI, D/o.(Late) Gurumoorthy, aged about 20 years, before the Court and set her at liberty.

For Petitioner : Mr.M.Solaisamy

For R1 and R2 : Mr.C.Ramesh

Additional Public Prosecutor

**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 person or body of the detenu, the petitioner's daughter namely, INDHIRALAKSHMI, D/o.(Late) Gurumoorthy, aged about 20 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, who is undergoing 3<sup>rd</sup> year B.Com (CA), in Sri S.R.Naidu Memorial College at Sattur. It is alleged that the detenu went to college on 10.11.2017 at 07.25 a.m., but she did not return back.



Thereafter, the petitioner searched her daughter in various places, but she could not find out her. Hence, the petitioner preferred a complaint to the second respondent police on 11.11.2017. On receipt of the said complaint, the second respondent issued acknowledgement card in CSR No.74 of 2017. Since there were no effective steps taken by the second respondent police to trace out the detenu, the petitioner has come up with the present Habeas Corpus Petition.

3.The learned counsel for the petitioner submitted that since the petitioner is not able to appear before this Court, her brother, who is working as a Teacher at Coimbatore, is present before this Court.

4.Today, when the Habeas Corpus Petition was taken up for consideration, the detenu has been produced by the respondent police. When we enquired the detenu, she has stated that she went along with one Umakanthan and now she married the said Umakanthan in Bagavathi Amman Temple, near Sankarankovil. She has further stated that she is not willing to go along with her maternal uncle.

5. In view of the above, since the detenu is a major and she is not willing to go along with her maternal uncle, in our considered view, nothing survives for adjudication in the Habeas Corpus Petition. Hence, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,  
Virudhunagar District,  
Virudhunagar.
2. The Inspector of Police,  
Alangulam Police Station,  
Vembakkottai Police Circle,  
Virudhunagar District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+ 1 cc TO Mr.M.Solaisamy , Advocate in SR No. 88105

Ns

AE/SKN RSK/SAR3/04.12.2017/2P/5C