



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.11.2017

CORAM:

WEB COPY

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

H.C.P. (MD) No.1677 of 2017

I.Veerunagammal : Petitioner

Vs.

1. State through
The Superintendent of Police,
District Police Office,
Theni District.

2. The Inspector of Police,
Bodinayakanu Taluk Police Station,
Theni District.

: 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 namely, Vidhaya, D/o.Ayyappan, aged about 17 years, her minor daughter before this Court and hand over the custody of the petitioner.

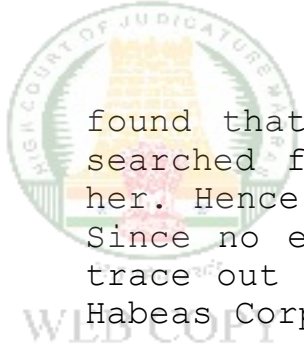
For Petitioner : Mr.R.Maheswaran
For Respondents : Mr.C.Ramesh
Additional Public Prosecutor

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 1 and 2 to produce the person or body of the detenu namely, Vidhaya, D/o.Ayyappan, aged about 17 years, before this Court and hand over the custody of the petitioner.

2.In the affidavit filed in support of this Petition, it has been averred that the petitioner is a coolie by avocation and she is the mother of the detenu viz., Vidhaya, D/o.Ayyappan, aged about 17 years. It is alleged that on 09.11.2017 the petitioner left the house for work and when she returned back home, she



found that the detenu was not there. Thereafter, the petitioner searched for her in various places, but she could not find out her. Hence, the petitioner made a complaint before the respondent. Since no effective steps were 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 she was not allowed to continue her studies by the petitioner/mother, who also compelled her to do work along with her and hence, she went out of the house, on her own volition. She has further stated that she is willing to go along with the petitioner/mother and when we enquired the petitioner, she has denied the complaint made by the detenu against her.

4. Be that as it may, now considering the fact that since the detenu, who is a minor aged about 17 years expressed her willingness 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 (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
District Police Office, Theni District.
2. The Inspector of Police,
Bodinayakanu Taluk Police Station,
Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 cc TO Mr. R. Maheswaran, Advocate in SR No. 90057

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AE/GT/SAR3/12.12.2017/2P/5C