



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

AND

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

H.C.P. (MD) No.1712 of 2017

WEB COPY

S.Lakshmi : Petitioner

Vs.

1.The Superintendent of Police,
Ramanathapuram District,
Ramanathanpuram.

2.The Inspector of Police,
Bazaar Police Station,
Ramanathapuram District.

3.Karthick Raja : 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 1st and 2nd respondents herein to produce the body or person of the petitioner's daughter namely Sangeetha, aged about 20 years, D/o.Sankar, before this Court and set her at liberty.

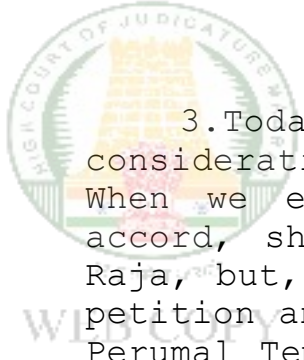
For Petitioner	: Mr.H.Velavadhas
For R1 and R2	: Mr.C.Ramesh
	Additional Public Prosecutor
For R3	: No appearance

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 1 and 2 to produce the body or person of the petitioner's daughter namely Sangeetha, aged about 20 years, D/o.Sankar, 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, Sangeetha and she had completed M.Sc., Mathematics. It is alleged that on 23.10.2017 the detenu went to the coaching class and thereafter, she did not return. Immediately, the petitioner searched for her daughter at various places, but she could not trace her. Hence, the petitioner preferred a complaint to the second respondent on 24.10.2017. 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 second 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 namely, Kumara Raja, but, his name was wrongly mentioned as Karthick Raja in the petition and now she married the third respondent on 08.06.2017 in Perumal Temple at Thirupulani. Though the mother of the detenu is present before this Court today, since she is not feeling well, we enquired the father of the detenu. However the detenu had stated that she is not willing to go along with their parents.

4. In view of the above, since the detenu is a major aged about 23 years and she is not willing to go along with their parents and she is not in the illegal custody of any one, in our considered view, nothing survives for adjudication in the Habeas Corpus Petition. Hence, the Habeas Corpus Petition is closed. However, the respondent police is directed to proceed with the case in accordance with law.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

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

Order made in
H.C.P. (MD) No. 1712 of 2017
Dated: 14.12.2017

ns
JM/KK/SAR 1/05.01.2018/2P/4C