



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBBIAH**

AND

THE HONOURABLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

**H.C.P. [MD] .No.1713 of 2017**

Vimala : Petitioner

Vs.

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

2. The Sub-Inspector of Police,  
Pandalkudi Police Station,  
Virudhunagar District.

3.R.Kishore Kumar : Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents to produce the detenu, namely, Ezhil Vaishali, aged about 21 years, D/o.Vimala, before this Court and set her at liberty.

For Petitioner : Mr.C.Bethanasamy

For Respondents 1&2 : Mr.C.Ramesh  
Additional Public Prosecutor

For Respondent No.3 : Mr.Ka.Ramakrishnan

### **O R D E R**

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[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, namely, Ezhil Vaishali, aged about 21 years, D/o.Vimala, before this Court and set her at liberty.

2. According to the petitioner, her daughter, the detenu herein, was missing from 03.11.2017, onwards. In this regard, the petitioner made a complaint before the second respondent. On



receipt of the said complaint, the second respondent police registered a case in Crime No.214 of 2017 for woman missing. 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. 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 she is aged about 21 years and since she is having love affair with the third respondent, on her own volition, she went out of the home along with him and stayed along with him at Chennai. She has further stated that she is not in illegal custody and she is now willing to go along with her mother. We have enquired the mother of the detenu also.

4. In view of the above, since the detenu is not in illegal custody, in our considered view, nothing survives for adjudication in the Habeas Corpus Petition. Hence, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(Crl side)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,  
Virudhunagar District, Virudhunagar.
  2. The Sub-Inspector of Police,  
Pandalkudi Police Station, Virudhunagar District.
  3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.
- + 1 cc TO Mr.C.Bethanasamy , Advocate in SR No. 91537

NB

AE/KK/SAR1/18.12.2017/2P/5C

**ORDER MADE IN**  
**H.C.P. [MD] .No.1713 of 2017**  
**05.12.2017**