



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.1714 of 2017

Elangovan

: Petitioner

Vs.

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

2.The Inspector of Police,
Medical College Police Station,
Thanjavur District.

3.R.Saravanan

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the body of the detenu/petitioner's daughter, namely, Mohanapriya, aged about 19 years, before this Court and set her at liberty.

For Petitioner

: Mr.D.Lakshmipathy

For Respondents 1&2 : Mr.C.Ramesh

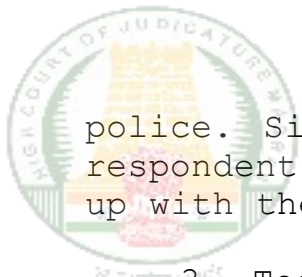
Additional Public Prosecutor

O R D E R

[Order of the Court was made by **R.SUBBIAH, J.**]

The present Habeas Corpus Petition has been filed by the father of the detenu, seeking a Writ of Habeas Corpus, directing the respondents to produce the person or body of the detenu, namely, Mohanapriya, aged about 19 years, before this Court and set her at liberty.

2. According to the petitioner, he has two daughters, namely Anushiya and Mohanapriya. The detenu was born on 16.10.1998 and now she is aged about 19 years. The detenu was studying B.Sc., B.Ed., second year at Sasthira University College, Thanjavur and staying at a Private Ladies Hostel, namely, Amirtham Home. The detenu was found missing from 15.10.2017, onwards. In this regard, the petitioner made a complaint before the second respondent



police. 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 19 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 married him. She has further stated that she is not in illegal custody and she is not willing to go along with her father. We have enquired the petitioner 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(Writs)

/True copy/

Sub Assistant Registrar

To

- 1.The Superintendent of Police,
Thanjavur District, Thanjavur.
- 2.The Inspector of Police,
Medical College Police Station,
Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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