



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 19.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

AND

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
H.C.P.[MD].No.1755 of 2017

WEB COPY

P.Mariamammal : Petitioner

Vs.

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

2.The Inspector of Police,
Kovilpatti West Police Station,
Kovilpatti, Thoothukudi District. : 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 person or body of the detenus, i.e., petitioner's daughter, Sangeetha, aged about 25 years and her granddaughter Mukanthasri, aged about 6 years, from the illegal detention of Veeramani and hand over them to the custody of the petitioner.

For Petitioner : Mr.S.Sundarapandian
For Respondents : Mr.C.Ramesh
Additional Public Prosecutor

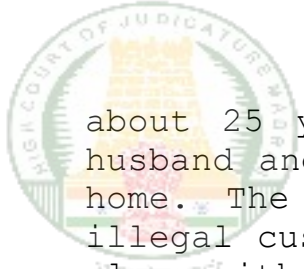
O R D E R

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

The present Habeas Corpus Petition has been filed by the mother of the first detenu, seeking a Writ of Habeas Corpus, directing the respondents to produce the person or body of the detenu, namely, Sangeetha, aged about 25 years and her granddaughter Mukanthasri, aged about 6 years and hand over their custody to the petitioner.

2. According to the petitioner, her daughter, namely, Sangeetha, aged about 25 years and her granddaughter, namely, Mukanthasri, aged about six years, were missing from 31.10.2017, onwards and a sum of Rupees Five Lakhs was also found missing. In this regard, the petitioner made a complaint before the second respondent. Since there were no effective steps taken by the second respondent police to trace out the detenus, the petitioner has come up with the present Habeas Corpus Petition.

<https://hcservices.courts.gov.in/> When the Habeas Corpus Petition was taken up for consideration, the second respondent police produced the detenus. When we enquired the first detenu, she has stated that she is aged



about 25 years and unable to tolerate the torture given by her husband and his brother, on her own volition, she went out of the home. The first detenu has further stated that she is not in illegal custody. She has also stated that she is not willing to go along with the petitioner.

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(P&A)

/True Copy/

Sub Assistant Registrar

To

- 1.The Superintendent of Police,
Thoothukudi, Thoothukudi District.
- 2.The Inspector of Police,
Kovilpatti West Police Station,
Kovilpatti, Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER MADE IN
H.C.P. [MD] .No.1755 of 2017
19.12.2017

NB

JM/MR/SAR 1/05.01.2018/2P/4C