



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2017

CORAM:

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

AND

THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

H.C.P.[MD].No.178 of 2017

P.Jeeva

: Petitioner

Vs.

1.State Represented by,
Commissioner of Police,
Madurai, Madurai District.

2.State Represented by,
The Inspector of Police,
C2, Subramaniapuram Police Station,
Madurai 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 secure the petitioner's granddaughter by name Jeniffer, aged about 13 years and to produce the detinue before this Court and hand over custody to the petitioner.

For Petitioner : Mr.J.Senthil Kumar

For Respondents : Mr.K.S.Duraipandian

Additional Public Prosecutor

O R D E R

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

Seeking production of the detinue namely Jeniffer, aged about 13 years, the petitioner, who is none other than the grandmother of the detinue, has filed the present Habeas Corpus Petition

2. It is averred in the affidavit filed in support of the petition that in the year 1998, the marriage was solemnized between the petitioner's daughter and one Daniel Jesudass and due to their wedlock, two children were born, namely Samuvel and Jeniffer. The detinue was living with the petitioner. While so, her daughter took the custody of the detinue forcibly and hence, the petitioner made a complaint on 18.08.2016. Since the whereabouts of the detinue was not known, the petitioner has come forward with the present petition.

3. Today when the matter was taken up for consideration, the detinue along with her mother appeared before this Court. The petitioner was not present. When we enquired the detinue, she told us that she is staying only along with her mother.



4. In view of the submission made by the detainee, we find that there is no illegal detention. Therefore, this Habeas Corpus Petition is closed as nothing survives for adjudication.

Sd/-

Assistant Registrar(P&A)

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Sub Assistant Registrar

To

1.The Commissioner of Police,
Madurai, Madurai District.

2.The Inspector of Police,
C2, Subramaniapuram Police Station,
Madurai District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 cc to MR.J.Senthil Kumar, ADVOCATE, SR NO:8536

Order made in
H.C.P.[MD].No.178 of 2017
Dated: 15.02.2017

SML

SVA/MR/28.02.2017/2P/5C