



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2017

CORAM:

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

AND

THE HONOURABLE MR.JUSTICE **M.S.RAMESH**

H.C.P.[MD].No.223 of 2017

Paramasivam

: Petitioner

Vs.

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

2. The Inspector of Police,
Y.Othakadai Police Station,
Melur Taluk, 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 herein to produce the body or person of the detinue, the petitioner's daughter Priya, D/o.Paramasivam, aged about 24 years, before this Court and set her at liberty.

For Petitioner

: Mr.A.S.Rajeswari

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-Priya, D/o.Paramasivam, aged about 24 years, the petitioner, who is the father of the detinue, has filed the present Habeas Corpus Petition.

2. In the affidavit filed in support of the petition, it is averred that the detinue was given in marriage with one Sudhakaran @ Saravanakumar on 08.09.2016. While so, on 25.01.2017, the detinue was found missing. In this regard, the husband of the detinue lodged a complaint on 26.01.2017 and the same was registered in Crime No.50 of 2017 as 'woman missing'. Since the whereabouts of the detinue was not known, another complaint was given on 08.02.2017. However, no action was taken, so far, to secure the detinue. Hence, the petitioner is before this Court with the present petition.

3. Today, when the matter was taken up for consideration, the detinue was produced before us. When we enquired the detinue, she had stated that since she was in depression mood, she went, on his own volition, to Chennai and stayed in a Girls Hostel. Further, she expressed her willingness to go along with her father, the



petitioner herein. On our further enquiry, she made as assertive statement that she is not in illegal custody of anybody.

4. In view of the submission made by the detinue, since there is no illegal detention, the Habeas Corpus Petition is closed as nothing survives for adjudication.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Madurai District, Madurai.
2. The Inspector of Police,
Y.Othakadai Police Station,
Melur Taluk, Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
H.C.P. [MD]. No. 223 of 2017
Dated: 02.03.2017

JM/KP/SAR 4/20.04.2017/2P/4C