



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.01.2017

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBBIAH
AND
THE HONOURABLE MRS.JUSTICE J.NISHA BANU**

H.C.P.[MD].No.38 of 2017

B.Kazhuvayee : Petitioner

Vs.

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

2.The Inspector of Police,
Jaihindpuram Police Station,
Madurai.

3.K.Pandi : 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 body or person of the petitioner's daughter, detainee, namely Durgadevi, D/o.Bharathi Murugan, aged about 23 years and set her at liberty.

For Petitioner : Mr.A.Mu.Sharavanan
For Respondents 1&2 : Mr.K.S.Duraipandian
Additional Public Prosecutor

**O R D E R

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

The petitioner is the mother of the detainee - Durgadevi, D/o.Bharathi Murugan, aged about 23 years. She has filed the present Habeas Corpus Petition stating that in the month of March, 2016, the detainee married the third respondent, without the consent of the petitioner. They lodged a complaint seeking protection and at the time of enquiry, the detainee went along with the third respondent. Since the whereabouts of the detainee is not known, the petitioner has lodged a complaint to the second respondent on 17.11.2016. However, no effective steps were taken



to trace out the detainee. Hence, she filed the present Habeas Corpus Petition.

2. Today, when the matter was taken up for consideration, the detainee was produced by the second respondent. When we enquired the detainee, she told us that she is aged about 23 years and she married the third respondent and is presently living in her in-laws house. The detainee further told us that the present petition has been filed with false allegations, since the marriage of the detainee with the third respondent took place without the consent of her parents. The detainee also told that she is not in illegal custody of anyone.

3. Therefore, recording the statement made by the detainee, the Habeas Corpus Petition is closed as nothing survives for adjudication.

Sd/-

Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

SML

To

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

2.The Inspector of Police,
Jaihindpuram Police Station,
Madurai.

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

GJM/BS/MS/6.2.17-2p-5c

**Order made in
H.C.P. [MD] .No.38 of 2017
Dated: 23.01.2017**