

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 24.07.2017

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
AND
THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

H.C.P(MD)No.634 of 2017

Muthulakshni

...Petitioner

-vs-

State Represented by

1. The Superintendent of Police,
Madurai District.
2. The Sub-Inspector of Police,
Usilampatti Taluk Police Station,
Madurai District.

3. Kannan

...Respondents

Prayer: This Habeas Corpus Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Habeas Corpus, directing the respondents to produce the person or body of the petitioner's daughter namely Selvi (aged 32 years), (D/o.Mokkaiyan) before this Court, who is under custody of third respondent and set her at liberty.

For Petitioner : Mr.A.Mithun Chakravarthi.
For Respondents : Mr.T.Mohan,
Additional Public Prosecutor.

O R D E R(Order of the Court was made by **M.M.SUNDRESH, J**)

The petitioner is the mother of the detainee. Though, the petitioner alleges that the third respondent keeps the detainee in illegal custody, the said allegation appears to be factually incorrect, which is to be find from the statement made by the detainee. She has voluntarily left the home. However, there are three children born out of the wedlock. The detainee has informed us that the children continue to be with the petitioner.



2.We enquired the children, who are present before us. They expressed their desire to be with the petitioner.

3.In such view of the matter, we permit the children of the detinue to be with the petitioner.

4.Since the detinue is a major and she is not under illegal custody, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub Assistant Registrar

To:

1. The Superintendent of Police,
Madurai District.
2. The Sub-Inspector of Police,
Usilampatti Taluk Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P (MD) No.634 of 2017
24.07.2017

MYR/rmi

SDS/SV:AAMS/SAR 1/01.08.2017/2P/4C