



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.10.2017

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE R.SUBBIAH
AND
THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA**

H.C.P.(MD)No.661 of 2017

S.Pandi : Petitioner

Vs.

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

2. The State rep by
The Inspector of Police,
Natham Police Station,
Natham,
Dindigul District.

3. Maniraj

4. Vellaiyammal

5. Pandi

6. Sevugan

7. Nagalakshmi

8. Kuralarasan

9. Dhavam

10.Mani

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Habeas Corpus, to direct the respondents to produce the body of the petitioner minor daughter Baghyalakshmi aged about 17 years, the detenu herein before this Court and hand over the custody to the petitioner.

For Petitioner : Mr.J.Sulthan Basha

For R1 and R2 : Mr.A.Ramar

Additional Public Prosecutor

For R3 to R10

: No appearance

ORDER

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



the respondents to produce the body of the petitioner minor daughter Baghyalakshmi aged about 17 years, the detenu herein and hand over her before this Court .

2. In the affidavit filed in support of the Habeas Corpus Petition, it has been averred that the petitioner is the father of the detenu, who is a minor child aged about 17 years and she has completed 12th standard. On 23.04.2017 when the petitioner woke up in the mid night, he found that his daughter was missing. Thereafter, he searched her and on enquiry, he came to know that the third respondent and his family members illegally took his daughter. Hence, the petitioner made a complaint before the second respondent police on 23.04.2017. On receipt of the said complaint, the second respondent police registered a case in Crime No.142 of 2017 for an offence under Section 366(A) IPC. Since there were no effective steps taken by the second respondent police to trace out the detenu, the petitioner has come up with the present Habeas Corpus Petition.

3. Today, when the Habeas Corpus Petition was taken up for consideration, the second respondent police produced the detenu. When we enquired the detenu, she has stated that she went along with the third respondent and now she was secured by the respondent police in Alangulam at Tirunelveli District. She has further stated that she is willing to go along with the petitioner.

4. In view of the above, since the detenu is willing to go along with the petitioner, in our considered view, nothing survives for adjudication in the Habeas Corpus Petition. Hence, the Habeas Corpus Petition is closed. However, the respondent police is directed to proceed with the case in accordance with law.

Sd/-
Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

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

2. The State rep by
The Inspector of Police,
Natham Police Station,

~~Natham~~
Dindigul District.



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

+1cc to M/s.Ajmal Associates, Sr.No.82719
+1cc to Mr.D.Selvaraj, Advocate Sr.No.69249

NS

VB/MR/SAR1/02/11/2017/3P/6C

Order made in
H.C.P. (MD) No.661 of 2017
12.10.2017