



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:20.01.2017

CORAM:

WEB COPY

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

H.C.P.[MD].No.1565 of 2016

A.Manikandan

: Petitioner

Vs.

1. The Superintendent of Police,
Kanyakumari District at Nagercoil.
2. The Inspector of Police,
Marthandam Police Station,
Kanyakumari District.

3.K.Abinesh

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the person or body of Krishnaveni, D/o.A.Manikandan, aged about 19 years, daughter of the petitioner, before this Court and set her at liberty.

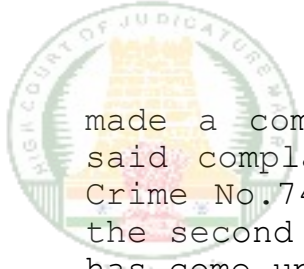
For Petitioner : No Appearance
For Respondents 1&2 : Mr.K.S.Duraipandian
Additional Public Prosecutor

O R D E R

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

The present Habeas Corpus Petition has been filed by the father of the detenu, seeking a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the body or person of Krishnaveni, D/o.A.Manikandan, aged about 19 years, before this Court and set her at liberty.

2. According to the petitioner, his daughter was studying Second Year B.A [English] in Ayyappa College at Sungankadai, Kanyakumari District. On 03.11.2016, his daughter had been to the college. However, she did not return back home. Suspecting that the third respondent would have abducted his daughter, the petitioner



made a complaint before the second respondent. On receipt of the said complaint, the second respondent police registered a case in Crime No.745 of 2016. 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. On enquiry, she has stated that she is aged about 19 years and since she is having love affair with the third respondent, on her own volition, she went out of the home along with him. She has further stated that she is not in illegal custody.

4. In view of the above, since the detenu is not in illegal custody, in our considered view, nothing survives for adjudication in the Habeas Corpus Petition. Hence, the Habeas Corpus Petition is closed.

Sd/-
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Kanyakumari District at Nagercoil.
2. The Inspector of Police,
Marthandam Police Station,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.B.BRIJESH KISHORE, ADVOCATE IN SR No. 3433
+ 1 CC TO Mr.T.WINS, ADVOCATE IN SR No. 3527

NB
TE/SV-MMS : 03/02/2017 : 2P/6C

ORDER MADE IN
H.C.P. [MD].No.1565 of 2016
20.01.2017