



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2017

CORAM:

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

H.C.P. [MD] .No.1665 of 2016

K.Senthilkumar : Petitioner

Vs.

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

2.The Inspector of Police,
Uraiyur Police Station,
Trichy 620 003.

3.Ramesh

4.Maruthamuthu

5.Tamilarari : 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 the detenu, namely, Viba, aged about 19 years, daughter of Senthilkumar, before this Court and set her at liberty.

For Petitioner : Mr.K.Sivabalan

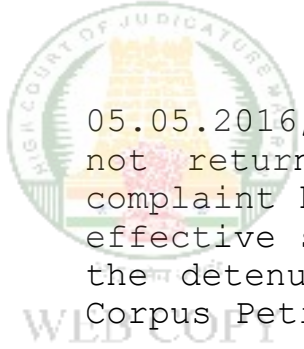
For Respondents : Mr.K.S.Duraipandian
Additional Public Prosecutor
for R1 and R2
Mr.S.I.Muthiah, Advocate
for R3 to R5

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 to produce the person or body of the detenu, namely, Viba, aged about 19 years, daughter of Senthilkumar, before this Court and set her at liberty.

2. According to the petitioner, his daughter, namely, Viba, is doing B.Sc., Physics in Kaveri Ladies College, Trichy. On



05.05.2016, she went to the college for examination, but she did not return back home. In this regard, the petitioner made a complaint before the second respondent police. 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 and married him. She has further stated that she is not in illegal custody. The petitioner, who appeared in person, has stated that he has no objection in sending the detenu along with her husband.

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 Commissioner of Police,
Trichy City, Trichy.

2.The Inspector of Police,
Uraiyur Police Station,
Trichy 620 003.

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

NB

CSL/SKN/SAR-II/16.02.2017 :2P/4C

**ORDER MADE IN
H.C.P. [MD] .No.1665 of 2016
09.02.2017**