

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.04.2018

CORAM

THE HON'BLE Mr. JUSTICE M.VENUGOPAL

and

THE HON'BLE Mrs. JUSTICE R.HEMALATHA

H.C.P.No.333 of 2018

Jayaprakasam

Petitioner

Vs

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

2.State by
Inspector of Police,
Thirupathur Town Police Station,
Vellore District.
(Crime No.15 of 2018)

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS, directing the respondents herein to produce the body and person of the Detenue by name Hemavathy daughter of Jayaprakasam, aged about 22 years before this Court and set her at liberty.

For Petitioner : Mr.K.Balu

For 1st Respondent : Mr.R.Ravichandran

Government Advocate (Crl. Side)

ORDER

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

The petitioner - Jayaprakasam has filed the present Petition for issuance of Writ of Habeas Corpus to produce the body of his daughter J.Hemavathy aged about 22 years.

2.In the affidavit filed along with the petition, the petitioner has contended that his daughter, who was studying second year M.B.A. in Thooyaninja College, Vellore District, went missing from 27.01.2018 and he searched for her. Since he could not find out the whereabouts of his daughter, he lodged a complaint before the 2nd respondent on 28.01.2018 which culminated into the registration of F.I.R. in Crime No.15 of 2018 of Thirupathur Town Police Station.

3.Notice was issued to the respondents and in response to the notice, the detainee Hemavathy was produced before this Court. We interacted with her and she contended that she left her parental home on 27.01.2018 since she fell in love with one K.Venkatesan. Her further contention is that both of them came down to Krishnagiri and they proceeded to Kanyakumari District. It is her contention that both of them surrendered before the District

Collector, Kanyakumari on 28.01.2018, who arranged their marriage through one Social Welfare Officer and that her marriage with K.Venkatesan was solemnized on 04.03.2018 at Eraniel. She further averred that her marriage was registered on 03.04.2018. She produced the Marriage Registration Certificate registered before the Registrar of Marriages, Eraniel. It is pertinent to mention that her date of birth is mentioned as 12.09.1995 and she is a major. This Court is convinced that the petitioner can decide her own life and she does not require any guidance or instructions. Therefore, the present Habeas Corpus Petition is disposed of, as nothing survives for further adjudication.

[M.V., J.] [R.H., J.]

23.04.2018

Index : Yes/No

Internet : Yes/No

Sgl

To

- 1.The Superintendent of Police,
Vellore District, Vellore.
- 2.The Inspector of Police,
Thirupathur Town Police Station,
Vellore District.
- 3.The Public Prosecutor,
High Court, Madras.

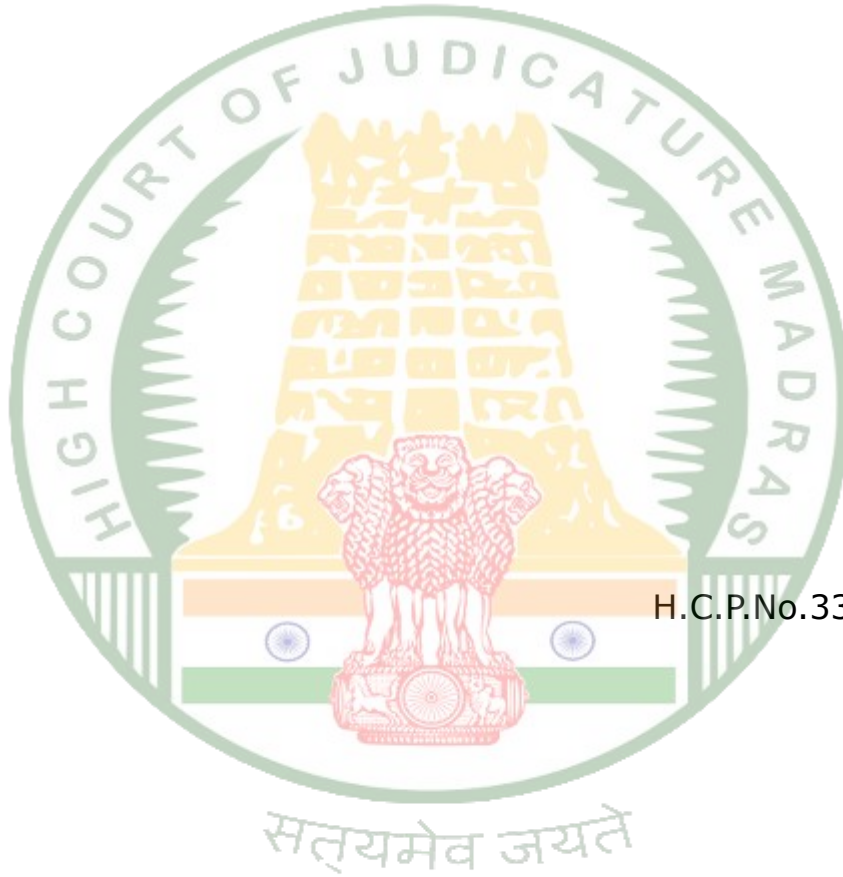
WEB COPY

M.VENUGOPAL, J.

AND

R.HEMALATHA, J.

Sgl



H.C.P.No.333 of 2018

WEB COPY

23.04.2018