

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2018

CORAM:

THE HON'BLE MR.JUSTICE M.VENUGOPAL
AND
THE HON'BLE MRS.JUSTICE R.HEMALATHA

H.C.P.No.394 of 2018

C.Vincent Petitioner

vs.

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

2.The Inspector of Police,
Palladam Police Station,
Palladam, Tiruppur District.

3.Thiru Karunakaran ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India praying to issue a writ of habeas corpus to direct the first and second respondents herein to produce the detenu, namely, V.Anthony Prakash, son of C.Vincent, male, aged about 20 years, before this Court and set him at liberty.

For Petitioner : Mr.T.Sundaravadanam

For Respondents : R.Ravichandran,G.A., (Crl.side)
for R1 and R2

ORDER

(Order of the Court was made by R.HEMALATHA,J.)

The petitioner C.Vincent has filed the present Habeas Corpus Petition to direct the first and second respondents to produce the detenu, namely, V.Anthony Prakash, aged about 20 years, before this Court and set him at liberty.

2.In the affidavit filed along with the petition, the petitioner had contended that his son V.Anthony Prakash was working as a tailor in Iswariya Net Fab, Palladam, Tiruppur and that he went missing from his house from 19.12.2017. Therefore, he lodged, a complaint with the Sub-Inspector of Police, Palladam Police Station.

3. Notice was issued to the respondents 1 and 2 and in response to the notice issued to the first and second respondents, the detenu was produced before this Court today. We interacted with the detenu-V. Anthony Prakash. He informed this Court that his date of birth is 17.4.1996 and that he married one Monisha, who was born on 03.03.1998. Since he apprehended that his parents would not accept their marriage, he had gone over to Gobichettipalayam and presently is working in Vincent Garment Company at Gobichettipalayam. He also contended that if his parents accept their marriage, he is ready and willing to go to his parents house.

4. The petitioner is present today and he informed this Court that he is ready to accept the marriage of his son with Monisha. Now, the said Monisha is lodged in a Home at Gobichettipalayam. The detenu-Anthony Prakash informed this Court that Monisha does not have parents. Since the detenu-Anthony Prakash is a major, aged 22 years, this Court is convinced that he would be in a position to take independent decision on his own and does not require any guidance or instructions and in view of the same, the detenu-Anthony Prakash is set at liberty.

5. With the above observation, this Habeas Corpus Petition is disposed of.

Sd/-
Asst. Registrar (CCC)

/true copy/

Sub Asst. Registrar

To

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

2. The Inspector of Police,
Palladam Police Station,
Palladam, Tiruppur District.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr. T. Sundaravadanam, Advocate sr.no. 26480

H.C.P.No. 394 of 2018

nr 28/04/2018