

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATE: 18.04.2018

CORAM

THE HONOURABLE Mr.JUSTICE M.VENUGOPAL
AND
THE HONOURABLE Mrs.JUSTICE R.HEMALATHA

H.C.P.No.549 of 2018

R.Thangaprakasam

.. Petitioner

Versus

1.The Inspector of Police,
F-1, Gummidipoondi Police Station,
Gummidipoondi,
Thiruvallur District - 601 201

2.The Superintendent of Police,
Thiruvallur District

3. Muthukumar @ Muthu Selvan

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for a issuance of Writ of Habeas Corpus by directing the 1st respondent police to produce the detainee viz., the petitioner's sister Miss.R.Valarmathi, aged 24 years, who is under the illegal custody of the 3rd Respondent before this Hon'ble Court and to set her at liberty forthwith for taking immediate and intensive mental and mecial treatment.

For Petitioner: Mr.K.B.Vivekanandhan

For Respondents: Mr.R.Ravichandran
Government Advocate

O R D E R

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

The petitioner, namely, R.Thangaprakasam, a resident of Gummidipoondi, Thiruvallur District has filed the present Petition for issuance of Writ of Habeas Corpus directing the respondents 1 and 2 to produce the body of his sister Miss.R.Varamathi aged 24 years.

2. In the affidavit filed along with the petition, the petitioner contended that his sister R.Valarmathi was working in an Institute and on 09.03.2018, she went missing and that all his efforts to find out the whereabouts of his sister went in vain. Therefore, he lodged a complaint with the Inspector of

Police, Gummidipoondi Police Station, which was registered as First Information Report in Crime No.137 of 2018 on the file of Gummidipoondi Police Station, Thiruvallur District. The main contention of the Petitioner is that the 3rd Respondent, Thiru.Muthukumar, who is already married had abducted his sister.

3. The notice was issued to the respondents, in response to the notice, the Detenue, namely, R.Valarmathi was produced before this Court. This Court interacted with her. She contended that she is aged 24 years and she was born on 29.12.1993. Her specific contention is that since her mother and her brother insisted her to marry against her wishes, she left the home on her own and is presently staying at Siruneeyam Village, Cholvaram, Redhills, Chennai. She further contended that she is presently working in Arun Ice Cream Factory. According to her, the 3rd Respondent, Thiru.Muthukumar is only her friend and that he is already married to one Glory and is residing with his wife at Alamathi, Redhills.

4. It is pertinent to mention that the petitioner is a major and this Court is convinced that she would be in a position to take an independent decision on her own and does not require any guidance or instructions from this Court.

5. In view of the above, the Detenue, namely, R.Valarmathi is set at liberty and the present Habeas Corpus Petition is disposed of, as nothing survives for further adjudication.

Sd/--

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

ssd

To

1.The Inspector of Police,
F-1, Gummidipoondi Police Station,
Gummidipoondi, Thiruvallur District - 601 201

2.The Superintendent of Police,
Thiruvallur District
Thiruvannamalai.

3. The Public Prosecutor, High Court, Madras

+1cc to Mr.K.B.Vivekanandhan, Advocate Sr.No.9016/18
SJ(CO)
sm:8.5.2018

H.C.P.No.549 of 2018