

In the High Court of Judicature at Madras

Dated: 09.04.2018

Coram:

The Hon'ble Mr.Justice M.VENUGOPAL
and
The Hon'ble Mrs.Justice R.HEMALATHA

H.C.P.No.573 of 2018

Manjula

Petitioner

Vs.

1.The Commissioner of Police,
The Commissioner's Office,
Poonamallee High Road,
Vepery, Chennai.

2.The Inspector of Police,
Mylapore Police Station,
Chennai District.

3.Appu @ Ramprabu

Respondents

Prayer: Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Habeas Corpus to call for the records in Cr.No.140/2018 dated 26.02.2018 on the file of the second respondent and further direct the second respondent police to produce the body of the petitioner's Daughter R.P.Shruthi, F/A 18 years, D/o.Paranthaman, who is now in the illegal custody of the third respondent herein and set her at liberty.

For Petitioner : Mr.S.Sialmbu Selvan
For Respondent : Mr.R.Ravichandran
Nos.1 & 2 Government Advocate (Crl. Side)

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O R D E R

[Order of the Court was made by

R.HEMALATHA, J.]

The Petitioner/Manjula, residing at No.266, I Street, Pennagaram, Kadambattur, Thiruvallur District has filed the Writ of Habeas Corpus Petition directing the second respondent

namely, the Inspector of Police, Mylapore Police Station, Chennai to produce the body of her daughter R.P.Shruthi aged 18 years before this Court.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing on behalf of the respondents 1 and 2.

3.In the affidavit filed along with the Petition, the petitioner/ Manjula has stated that her daughter R.P.Shruthi, aged 18 years was studying in I Year Bachelor of Dental Science in Ragas Dental College at Old Mahabalipuram Road, Chennai and that the third respondent/Appu @ Ramprabu had abducted her daughter from the College Hostel against her wishes.

4.On 26.03.2018, the learned Additional Public Prosecutor accepted notice on behalf of the respondents 1 & 2 and the matter was adjourned to 09.04.2018. In response, the second respondent produced the detenu, R.P.Shruthi before this Court today. The third respondent/Appu is also present before this Court.

5.This Court interacted with the detenu in detail. The detenu R.P.Shruthi informed that she fell in love with the third respondent and married him on 22.01.2018 at Vadapalani Temple, Chennai and is presently living with her husband in Thoothukudi. She further averred that she is not interested in pursuing BDS course and that her parents insisted her to study that course. Incidentally, the father of the detenu is an Accounts Officer in Doordharsan and the third respondent is a painter by his profession. The detenu informed this Court that she is not willing to go with her parents as she got married to the third respondent herein. Since the detenu is a major, 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 from this Court.

6.Accordingly, the Habeas Corpus Petition is disposed of as no further course of action is necessary.

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Sd/-
Asst.Registrar (CS VI)

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Sub Asst. Registrar

DP

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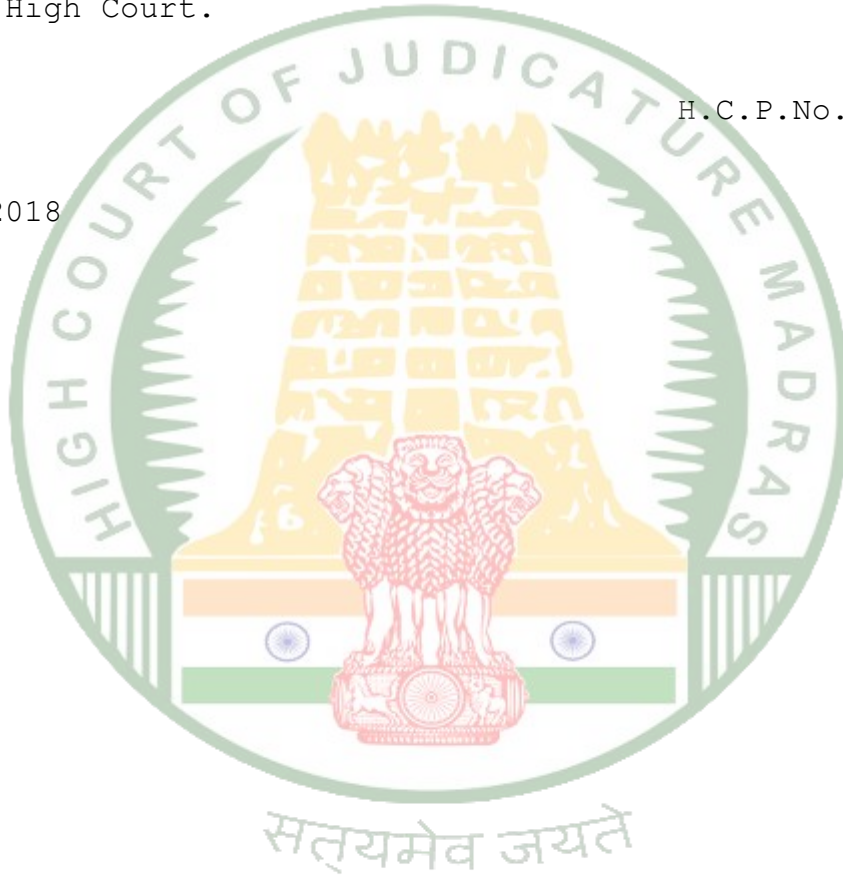
1.The Commissioner of Police,
The Commissioner's Office,
Poonamallee High Road,
Vepery, Chennai.

2.The Inspector of Police,
Mylapore Police Station,
Chennai District.

3.The Public Prosecutor,
Madras High Court.

H.C.P.No.573 of 2018

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