

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.577 of 2018

Pushparani .. Petitioner

Vs.

The Inspector of Police,  
Koyambedu Police Station,  
Chennai. .. Respondent

Prayer: Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Habeas Corpus to direct the respondent to produce the body of the detenu, petitioner's daughter B.Vidya, D/o.Balamurugan, who is aged 21 years.

For Petitioner : Mr.M.Jaikumar

For Respondent : Mr.R.Ravichandran  
Government Advocate (Crl. Side)

O R D E R

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

The petitioner/Pushparani, residing at No.3/160, Perumal Koil Street, Nerdundram, Chennai has filed the Writ of Habeas Corpus Petition, directing the respondent namely, the Inspector of Police, Koyambedu Police Station, Chennai to produce the body of her daughter B.Vidya aged 21 years before this Court.

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

3.In the affidavit filed along with the petition, the petitioner/ Pushparani has contended that her daughter B.Vidya, aged 21 years married one Victor as per Hindu rites and customs

on 24.11.2017 and she went missing from her matrimonial home on 08.03.2018. According to her, a complaint in this regard was lodged with the Inspector of Police, Koyambedu Police Station.

4.On 26.03.2018, the learned Additional Public Prosecutor accepted notice for the respondent and the matter was adjourned to 09.04.2018. In response, the respondent produced the detenu, B.Vidya before this Court today.

5.This Court interacted with the detenu in detail. The detenu B.Vidya informed that she married one Kathirvelu at Kaalikaambal Temple at Thirutani and presently residing at M.R.Puram at Tirutani. She further averred that she never married Victor as alleged by her mother and that the copy of the invitation filed by her along with the typed-set of papers is not a genuine one. She also contended that she is happily residing with her husband and is not willing to go with her parents. It is pertinent to mention that the detenu is a major. Therefore, 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. It is also pertinent to mention that the alleged first husband Victor has not filed the present petition.

6.In the facts and circumstances of the present case, the detenu is set at liberty and the Habeas Corpus Petition is disposed of as no further course of action is necessary.

Sd/-  
Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

DP

To

1.The Inspector of Police,  
Koyambedu Police Station,  
Chennai.

2.The Public Prosecutor,  
Madras High Court.

H.C.P.No.577 of 2018

RJ (CO)  
TR(24/04/2018)