

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.04.2018

Coram

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

H.C.P.No.686 of 2018

P.Sumathi ... Petitioner/Complainant

Vs.

1. The Superintendent of Police
Erode.
2. State by Inspector of Police
Erode South Police Station
Erode District.
Crime No.732 of 2017 ... Respondents/Respondents

PRAYER:

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the 2nd respondent herein to secure the detenu namely P.Abitha @ Sindhu, D/o.Palanisamy, aged about 27 years whose whereabouts is not known and produce before this Court.

For Petitioner : Mr.R.Nalliyappan

For Respondents : Mr.R.Ravichandran,
Government Advocate.

O R D E R

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

The petitioner, P.Sumathi has filed the present petition for issuance of Writ of Habeas Corpus directing the respondents 1 and 2 to cause production of her daughter P.Abitha, aged about 27 years, before this Court.

2. The contention of the petitioner is that her daughter, who was working with P.V.N.Construction Limited, went missing from home on 19.12.2017. Since the petitioner could not find out the whereabouts of the detenu, she lodged a complaint with the Sub Inspector of Police, Erode Police Station on 21.12.2017.

The Special Sub Inspector of Police registered an FIR in Crime No.732 of 2017 of Erode Police Station.

3. Notice was issued to the respondents and in response to the notice, the detainee P.Abitha was produced before this Court. We interacted with the detainee. She informed us that she was born on 08.07.1991 and she is aged 27 years. She further informed that she fell in love with one Ramesh and married him on 22.12.2017 at a Mariamman Temple, near Tiruchirappalli. She also contended that since she belongs to Gounder community and her husband belongs to scheduled caste community, her parents did not accept their marriage.

4. In the instant case, the petitioner is a major and is aged 27 years, she has also married one Ramesh on 22.12.2017, this Court is convinced that the detainee 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, this Habeas Corpus Petition is disposed of, as nothing survives for further course of action.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

vsm

To

1. The Superintendent of Police
Erode.

2. The Inspector of Police
Erode South Police Station
Erode District.

3. The Public Prosecutor,
Madras High Court,
Chennai.

+1cc to Mr.R.Nalliyappan, Advocate, S.R.No.28634

H.C.P.No.686 of 2018

CA(CO)
CS/16/05/18