

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.04.2018

CORAM:

THE HON'BLE MR.JUSTICE M.VENUGOPAL
AND

THE HON'BLE MRS.JUSTICE R.HEMALATHA

H.C.P.NO.697 OF 2018

P.Pappa

.. Petitioner

Vs.

1. State rep. by
The Inspector of Police,
Mettur Police Station,
Salem District.

2. P.Selvaraj

.. Respondents

Prayer:

This Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Habeas Corpus to the first respondent to produce the petitioner daughter namely, Miss. Nandhini aged 19 years before this Court and hand over her custody to the petitioner.

For Petitioner : Mr.C.Arun Kumar
For Respondent : Mr.R.Ravichandran
No.1 Government Advocate (Crl. Side)

O R D E R

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

The Petitioner/P.Pappa has filed the present petition for issuance of Writ of Habeas Corpus directing the first respondent to produce her daughter namely, Miss. Nandhini, aged 19 years before this Court and set her at liberty.

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

3.In the affidavit filed along with the Petition, the petitioner/ P.Pappa has contended that her daughter Nandhini, who was studying B.Sc., Computer Science at Royal College,

Masilapalayam, Salem District went missing from 26.03.2018 onwards. She searched for her and since she could not find out her whereabouts, she lodged a complaint with the first respondent. The specific contention of the petitioner is that the second respondent P.Selvaraj abducted her daughter.

4. Notice was issued to the first respondent and in response to the notice, the detenu Nandhini, aged about 19 years was produced before this Court today.

5. This Court interacted with the detenu. She informed that she was born on 30.03.2000 and that since her mother insisted her to get married, she left the home on her own will, as she is not in a mood to marry anyone at present. According to her, she is presently staying with one Susila, who is her friend's sister, at Vedugantampatti, Ilampillaivazhi, Salem District. She also contended that she does not know about the second respondent herein, though he is a professor in the Royal College, Masilapalayam.

6. The learned counsel appearing for the petitioner contended that her mother had actually seen her daughter with the second respondent going in a two wheeler. However, the detenu is a major and she expressed that she is not willing to go with her mother. The petitioner is now 19 years of age and she can decide her life and does not require any guidance or instructions.

7. Considering the above fact, the Writ of Habeas Corpus Petition is disposed of as nothing survives for further adjudication.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

DP

To

1. The Inspector of Police,
Mettur Police Station, Salem District.
2. The Public Prosecutor,
Madras High Court.

H.C.P.No.697 of 2018

GJII(CO)

CS/17/05/18