



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 30.01.2018

Coram :-

WEB COPY

THE HON'BLE DR.JUSTICE S.VIMALA
and
THE HON'BLE MRS.JUSTICE T.KRISHNAVALLI

Habeas Corpus Petition No.124 of 2018

K.Vijayakumar ... Petitioner
-vs-

1. The Superintendent of Police
O/o. The Superintendent of Police
Virudhunagar District
2. The Inspector of Police
Vachakkarapatti Police Station,
Virudhunagar District
3. The Inspector of Police
Sivakasi East Police Station
Virudhunagar District
4. A.Moomoorthi ... Respondents

Prayer: Habeas Corpus Petition is filed under Article 226 of Constitution of India, seeking a direction to the respondent Nos.2 and 3 to produce the person or body of the petitioner's son namely V.Ajithkumar (21/18) S/o.K.Vijayakumar before this Court and set him at liberty.

For Petitioner : Mr.I.Pinaygash

For R1 to R3 : Mr.C.Ramesh
Addl. Public Prosecutor

For R4 : Mr.M.Mariappan

O R D E R

(Order of the Court was made by
S.Vimala,J.,)

The petitioner, who is the father of detenu, has moved this petition for a direction to the Respondent Nos.1 and 2 to produce his son, namely, Ajithkumar aged about 21 years before this Court and set him at liberty.



2. According to the petitioner / father of detenu, his son Ajithkumar/ detenu herein, who is aged about 21 years, has been studying in St. Joseph College, Trichy and on 21.01.2018, he was found missing. It is further stated that the detenu alleged to have eloped with one Jamuna Devi, aged 19 years, daughter of the 4th respondent. It is further stated that since the whereabouts of his son was not known, he preferred a complaint to the respondent police. Even thereafter, the petitioner was not able to trace out the whereabouts of the detenu and therefore, having left with no other alternative remedy, he is before this Court, seeking for the above direction.

3. The learned Additional Public Prosecutor has produced both the detenu, namely, Ajithkumar and the daughter of the fourth respondent, namely, Jamuna Devi, before this Court.

4. Today, both the parents of the detenu and the girl were present and they discussed together. Finally, the detenu expressed his willingness to accompany his parents and the girl expressed her willingness to go along with the detenu. The parents of the girl, however, stated that the detenu and the girl will not expect any support from them either for education, marriage or anything else in future and they relinquish their rights and the parents of the detenu has accepted the girl and agreed to support the girl for education and have given assurance to take care of them, till they have an independent income. However, they apprehend that there should not be any trouble on the side of the parents of the girl or the villagers. The jurisdictional police have assured that they will take care of and monitor the situation.

5. With the above observations, the Habeas Corpus Petition stands disposed of accordingly.

Sd/-

Assistant Registrar(ADI)

/True Copy/

Sub-Assistant Registrar

To:

1. The Superintendent of Police
O/o. The Superintendent of Police, Virudhunagar District
2. The Inspector of Police
Vachakkarapatti Police Station, Virudhunagar District
3. The Inspector of Police
Sivakasi East Police Station, Virudhunagar District
4. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

+One cc to Mr.I.Pinaygash, Advocate, SR.No.45032

RR

RL/6C/2P/KK/SAR1/15/2/2018