



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 09.02.2018

Coram :-

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

Habeas Corpus Petition (MD) No.159 of 2018

P.Jeyanthi

... Petitioner

-vs-

1.The Commissioner of Police,
City Police Head Quarters,
Alagarkoil Road, Madurai City.

2.The Inspector of Police,
Crime, Anna Nagar Police Station,
K.K.Nagar, Madurai-625 020.

3.Surya

... Respondents

Prayer: Habeas Corpus Petition is filed under Article 226 of Constitution of India, seeking a direction to the 1st and 2nd respondents to produce the detenu or bring the body of petitioner's daughter, namely, P.Pavithra, D/o.Panneerselvam, aged about 18 years before this Hon'ble Court and set her at liberty.

For Petitioner : Mr.R.M.Makesh Kumaravel
For R1 & R2 : Mr.C.Ramesh
Addl. Public Prosecutor

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

The petitioner has filed this petition, seeking direction to the respondents 1 & 2 to produce her daughter / detenu, namely, P.Pavithra, aged about 18 years before this Court and set her at liberty.

2. According to the petitioner, she is a widow and her daughter is studying in B.Com. (I year) in Madurai. Her daughter was found missing from 05.02.2018 onwards and suspecting the foul play on the part of the third respondent in connection with her daughter's missing, she lodged a complaint with the 2nd respondent. Since there was no effective steps taken by the respondent police to trace out her daughter, she is before this Court, seeking for the above direction.



3. The learned Additional Public Prosecutor has produced the detenu, namely, P.Pavithra and the petitioner and the third respondent are present before this Court.

4. On being enquired with the detenu, she has stated that she has completed 18 years of age and she left the company of her mother on her own accord and no one kidnapped or abducted her against her will. She has further stated that she has already married the third respondent, which has also been endorsed by the third respondent and at last, she expressed her willingness to go with the third respondent.

5. Upon hearing the above statement of the detenu, the petitioner only wanted assurance from her daughter that hereafter she should not seek any assistance from her and should not claim any right over the property or in the personal relationship. The detenu informed the Court that she will neither cause disturbance to her mother for any purpose nor seek any assistance.

6. Considering the fact that the detenu is major, having attained the age of 18 years and also the fact that she is desirous to accompany the third respondent, she is set at liberty to act as per her own wish.

7. The Habeas Corpus Petition stands closed accordingly.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To:

1.The Commissioner of Police,
City Police Head Quarters,
Alagarkoil Road,
Madurai City.

2.The Inspector of Police,
Crime, Anna Nagar Police Station,
K.K.Nagar, Madurai-625 020.

3.The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

+ 1 CC TO Mr.RM.MAKESH KUMARAVEL, ADVOCATE IN SR No. 47701

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TE/SV-MMS/SAR-2 : 07/03/2018 : 2P/5C

<https://hcservices.ecourts.gov.in/hcservices/>

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