



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2018

CORAM:

WEB COPY

THE HONOURABLE DR. JUSTICE S.VIMALA
AND
THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

H.C.P(MD) No.368 of 2018

P.Indra Malini

... Petitioner

-vs-

1.The Superintendent of Police,
Theni District, Theni.

2.The Inspector of Police,
South Police Station,
Cumbum, Theni District.

3.Muthu Meenal @ Meena,
4.Vijay Saravanan

... Respondents

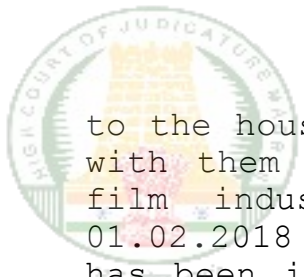
PRAYER: Petition is filed under Article 368 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, directing the respondents 1 and 2 herein to produce the detenu, namely, Deva Sobina, D/o.Indra Malini, aged about 22 years before this Honourable Court and set her at liberty.

For Petitioner	: Mr.T.Bashyam
For R1 & R2	: Mr.K.Dinesh Babu Addl. Public Prosecutor
For R3 & R4	: Mr.T.Lajapathi Roy

O R D E R**[Order of the Court was made by S.VIMALA,J,]**

This petition has been filed by mother, seeking direction to the respondents 1 and 2 herein to produce the detenu, namely, Deva Sobina, D/o.Indra Malini, aged about 22 years before this Court and set her at liberty.

2. According to the petitioner (a Srilankan Citizen), she has got two daughters, out of whom, the detenu is the eldest one; that the petitioner used to come to India frequently along with the detenu on Tourist Visa for the purpose of her daughter's education; that the detenu joined B.Tech course in the year 2015 and discontinued her studies in the very same year; that whenever they visit India, they temporarily reside in a house, which is opposite



to the house of the respondents 3 and 4 and thereby, got acquainted with them and that the third respondent is a side actress in the film industry. While so, the detenu was found missing from 01.02.2018 onwards and the petitioner came to know that the detenu has been illegally detained by the respondents 3 & 4 and they did not permit her to see her daughter, stating that the detenu already married the 4th respondent. Apprehending danger to the life of the detenu, the petitioner preferred a complaint with the 2nd respondent to secure the detenu and since her complaint did not evoke any response on the side of the respondent police, the petitioner is before this Court. It is also submitted by the petitioner that their Tourist Visa expires on 10.04.2018.

3. The learned Additional Public Prosecutor has produced the detenu through the respondent police and the petitioner as well as respondents 3 & 4 are present before this Court.

4. On enquiry with the detenu, she has stated that she was in love with the fourth respondent, married him and she is now pregnant by three months. She has also stated that she has not been abducted by anyone and left the company of her mother on her own and she firmly expressed her willingness to go only with the respondents 3 & 4. The respondents 3 & 4 endorsed the marriage of the detenu with R4 and also confirmed her pregnancy through R4.

5. Recording the submission made by the detenu and taking into account the fact that she is major, this Habeas Corpus Petition is closed and the detenu is set at liberty.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To:

- 1.The Superintendent of Police,
Theni District, Theni.
- 2.The Inspector of Police,
South Police Station,
Cumbum, Theni District.
- 3.The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.T.BASHYAM, ADVOCATE IN SR No. 56911

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

1E/SKN-RSK/SAR-4 : 10/04/2018 : 2P/5C

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