



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 30.05.2018

CORAM

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

AND

THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

HCP.(MD).No.663 of 2018

Velusamy

... Petitioner

Versus

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

2.The Inspector of Police,
Kuruvikulam Police Station,
Tirunelveli District.

3.Ajith @ Manikandan

... Respondents

PRAYER:- Habeaus Corpus Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, to direct the second respondent to produce the body or person of detenues, the petitioner's daughter namely Vidhya, D/o.Velusamy, aged about 21 years old from the illegal custody of the 3rd respondent and his henchmen before this Court and set him at liberty.

For Petitioner : Mr.M.Maharaja

For Respondents : Mr.K.Dinesh Babu

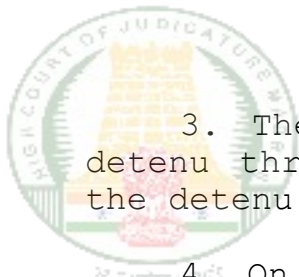
Additional Public Prosecutor
(for R1 and R2)

ORDER

[Order of the Court was made by T.KRISHNAVALLI, J.,]

This petition has been filed by father, seeking direction to the respondents to produce his daughter/detenu, namely, Vidhya, D/o. Velusamy, aged about 21 years, before this Honourable Court and set him at liberty.

2. According to the petitioner, his daughter is working at Jayavillas Spinning Mill, Sankarankovil and from 26.03.2018 onwards, she was found missing. Apprehending that the third respondent would have kidnapped his daughter, he has lodged a complaint with the 2nd respondent, police for securing his daughter. Since there was no effective action taken on his complaint, he is before this Court, seeking for the above direction.



3. The learned Additional Public Prosecutor has produced the detenu through the respondent police and the petitioner/father of the detenu is also present before this Court.

4. On being enquired with the detenu, she has stated that she had not been abducted or kidnapped by anyone and she had left her parental home on her own volition. She has expressed that she may be set at liberty to choose her own way of living.

5. The effort taken by the petitioner/father to persuade his daughter to come along with him ended in vain and was not fruitful and the detenu was very particular in sticking on to her earlier stand of setting her at liberty.

6. Under such circumstances, considering the fact that the detenu is major, having attained the age of 21 and also the fact that she is not inclined to accompany her father, she is set at liberty to act as per her own wish.

7. The Habeas Corpus Petition stand disposed of accordingly.

Sd/-
Assistant Registrar (AD-II)

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Tirunelveli District, Tirunelveli.
2. The Inspector of Police,
Kuruvikulam Police Station,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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30.05.2018

SKN

RAM/RSK/SAR 1/13.07.2018/2P/4C