



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.01.2018

CORAM:

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

HCP [MD].No.1590 of 2017

S.Anjali : Petitioner
Vs.

1. The Inspector of Police,
Usilampatti Town Police Station
Madurai District

2. Muthukumar : Respondents

PRAYER: Habeas Corpus Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Habeas Corpus, directing the 1st respondent to produce the corpus or body of Sobiashri, aged 21 years daughter of the petitioner before this Court by rescuing her from the illegal custody of the 2nd respondent and set her at liberty.

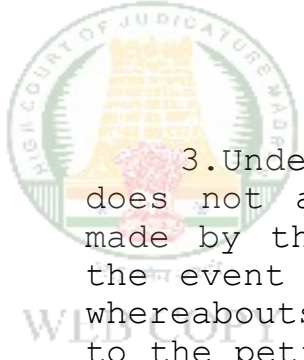
For Petitioner : Mr.G.Radhakrishnan
For R1 : Mr.A.Ramar
Additional Public Prosecutor

ORDER

[Order of the Court was made by **S.VIMALA, J**]

The petitioner, who is the mother of the detenu, namely, Sobiashri, aged 21 years has filed this petition seeking direction to the first respondent to produce her daughter, Sobiashri, aged 21 year before this Court and set her at liberty.

2.After notice, the learned Additional Public Prosecutor has filed a status report, besides narrating the steps that were taken by the respondent police, it has been stated that there had been a love affair between the detenu and the 2nd respondent and the detenu left her parental home after informing the petitioner about the love affair. Thus, it cannot be a case of abduction and it can be presumed that the detenu must be with the second respondent, as per the information furnished by the detenu herself.



3. Under such circumstances, the question of illegal custody does not arise at all. However, taking note of the submission made by the petitioner that the detenu is her only daughter, in the event of the first respondent Police coming to know of the whereabouts of the detenu in future, the same shall be initiated to the petitioner immediately.

4. With this observation, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
Usilampatti Town Police Station
Madurai District
2. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

IA/RR

AE/KKR/SAR4/01.02.2018/2P/3C

ORDER MADE IN
HCP . [MD] . No. 1590 of 2017
11.01.2018