



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 07.02.2018

Coram :-

WEB COPY

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

Habeas Corpus Petition(MD) No.1614 of 2017

Sudha ... Petitioner

-vs-

1. The State of Tamil Nadu,
Rep. By the Superintendent of Police
Kanyakumari District, at Nagercoil
2. The Inspector of Police
Karungal Police Station,
Kanyakumari District ... Respondents

Prayer: Habeas Corpus Petition is filed under Article 226 of Constitution of India, seeking a direction to the respondents to produce the petitioner's daughter Ms.Suganya, daughter of Kaladharan, aged 19 years, before this Court and set her at liberty.

For Petitioner : Mr.C.K.M.Appaji
For Respondents : Mr.C.Ramesh for RR1 & RR2
Addl. Public Prosecutor

O R D E R

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

The petitioner, who is the mother of detenu, has moved this petition for a direction to the Respondent Nos.1 and 2 to produce her daughter, namely, Suganya, aged about 19 years before this Court and set her at liberty.

2. According to the petitioner / mother of detenu, the detenu, who was working in a Company at Coimbatore, was found missing from 12.10.2017. A complaint has been lodged by the petitioner herein to the 2nd respondent police on 12.10.2017 and it is alleged that no further action has been taken and hence, she is before this Court with this petition.



3. Today, the learned Additional Public Prosecutor for the State has filed a status report, wherein, it is stated that the detenu herself has informed her mother over phone that she was in love with a boy from the State of Assam and she got married to him and settled in Assam. She has also requested the mother not to search for her. To that extent, a statement under Section 161 Cr.P.C., has also been recorded. In the said statement, it has been specifically stated that the detenu has developed intimacy with one Kuluth from Assam and she eloped with him and settled in Assam. In order to verify the same, the learned counsel for the petitioner requested the phone number of the detenu, which was also furnished by the 2nd respondent to the learned counsel for the petitioner.

4. Recording the status report and statement of the detenu, this Habeas Corpus Petition is closed. After contacting over phone, if any further necessity arises, liberty is given to the petitioner to work out her remedy in the manner known to law, including revival of this HCP.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub-Assistant Registrar

To:

1. The Superintendent of Police
Kanyakumari District
at Nagercoil
2. The Inspector of Police
Karungal Police Station,
Kanyakumari District
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

+One cc to Mr.C.K.M.Appaji, Advocate, SR.No.46692

RR

RL/5C/2P/KK/SAR1/20/2/2018