



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 09.08.2018
CORAM:

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THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

H.C.P. (MD) No.1787 of 2017

Marykala

... Petitioner

vs.

1. The Superintendent of Police,
Kanniyakumari District,
Nagercoil,
Kanniyakumari District.

2. The Inspector of Police,
Pudukadai Police Station,
Kanniyakumari District.

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Habeas Corpus or order or direction in the nature of a writ directing the respondents to produce the person or body of the Detenu namely Anto Judlin Mary, wife of Jose melbin, aged 26 years before this Court and to set her at liberty.

For Petitioner	: Mr.T.Vadivelan
For Respondents	: Mr.K.Dinesh Babu Additional Public Prosecutor

O R D E R

[Order of the Court was made by **M.M.SUNDRESH, J.**]

The petitioner who is the mother of the detenu has come forward to file this petition seeking to set her at liberty.

2.The learned Additional Public Prosecutor appearing for the respondents would submit that this is a case of elopement. Therefore, no illegal detention is involved.

3.In view of the above submission, we are not inclined to allow this petition. However, liberty is given to the petitioner to work out her remedy before the appropriate forum by invoking provision under Section 97 Cr.P.C.,



4. This Habeas Corpus Petition is dismissed accordingly.

Sd/-

Assistant Registrar (CS-I)

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/True Copy/

Sub Assistant Registrar (CS-III)

To

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

Mj

MK/RP/SAR 3/27.08.2018/2P/4C

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