



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2018

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH
AND
THE HONOURABLE MRS. JUSTICE R.THARANI

H.C.P. (MD) No.1549 of 2018

Iruthaya Pavulmary : Petitioner

Vs.

1. The Commissioner of Police,
Tiruchirappalli City,
Tiruchirappalli.
2. The Inspector of Police,
Sessions Court Police Station,
Tiruchirappalli City.

3.Lourdthuraj : Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, to direct the respondents 1 and 2 to produce the body or person of the petitioner's daughter, the detenu, viz., Jayaprishka, D/o.Arockiasamy, aged 23 years before this Court illegally detained by the 3rd respondent and set her at liberty forthwith.

For Petitioner : Mr.D.Rameshkumar

For Respondents : Mr.K.Dinesh Babu for R1 and R2
Additional Public Prosecutor
No appearance for R3

ORDER

[Order of the Court was made by R.SUBBIAH, J]

This Habeas Corpus Petition has been filed by the petitioner to produce her daughter, namely, Jeyaprishka, aged 23 years.

2. The petitioner is the mother of the detenu. In the affidavit, it is averred that the petitioner's daughter was found missing from 15.10.2018. Under such circumstances, the petitioner has given a complaint to the respondent police on 15.10.2018 and a representation has been given to the first respondent on 23.10.2018. Since no effective steps were taken, the petitioner is before this Court with this petition.



3. Today, when the matter is taken up for hearing, the detenu has been produced by the respondent police. On enquiry, she has stated that since her mother was pressurising for her marriage, on her own accord, she left her house and she is staying in Chennai searching for a job. She further stated that she is not under the illegal custody of any one. She has also expressed her unwillingness to go along with her mother/petitioner. She denied the allegation that she has been kidnapped by the third respondent.

4 In view of the said submission made by the detenu, we are of the view that since the detenu is a major, she is set at liberty to take her own decision. Accordingly, this petition is closed.

Sd/

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

1. The Commissioner of Police,
Tiruchirappalli City,
Tiruchirappalli.
2. The Inspector of Police,
Sessions Court Police Station,
Tiruchirappalli City.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

RR

SS/RSK/SAR 4/26.12.2018/2P/4C

Order made in
H.C.P. (MD) No.1549 of 2018
27.11.2018