



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.11.2018

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

AND

THE HONOURABLE MRS. JUSTICE R.THARANI

H.C.P. (MD) No.1563 of 2018

K.Ponnarasi

: Petitioner

Vs.

1.The Superintendent of Police,  
O/o. The Superintendent of Police,  
Dindigul District.

2.The Inspector of Police,  
Vadamadurai Police Station,  
Dindigul District.

3.S.Selvakumar

: 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 respondent Nos.1 and 2 to produce the person or body of the petitioner's daughter namely, K.Archana (29/18) D/o.Kumarasamy (Late) before this Court and set her at liberty.

For Petitioner : Mr.I.Pinaygash

For Respondents : Mr.V.Neelakandan for R1 & R2

Additional Public Prosecutor

Ms.K.Mahalakshmi for R3

ORDER

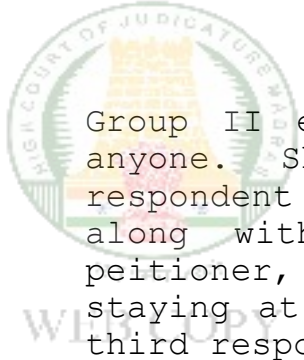
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[Order of the Court was made by R.SUBBIAH, J]

This Habeas Corpus Petition has been filed by the petitioner to produce her daughter, namely, Archana, aged 29 years.

2. The petitioner is the mother of the detenu. In the affidavit, it is averred that the petitioner's daughter is working as Junior Assistant at the office of the Deputy Director of Health Services, Thiruvarur and the third respondent, who is working as Food Safety Officer, at Erode District, is a married man and got two children. While so, it is alleged that he developed friendship and married the detenu. Under such circumstances, the detenu left her house on 04.10.2018 and did not return home. Since her whereabouts are not known, the petitioner preferred a representation to the respondent police on 24.10.2018. 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 she is staying in a hostel at Chennai and preparing for



Group II examinations and she is not in the illegal custody of anyone. She further stated that she has no contact with the third respondent presently. Today, she expressed her willingness to go along with her mother/petitioner. When we enquired with the petitioner, she stated that she has no objection for her daughter staying at Chennai to continue her studies. When we enquired the third respondent, he denied that he married the detenu.

4 In view of the said submission made by the detenu, we are of the view that nothing survives for adjudication in this petition. Accordingly, this petition is closed.

Sd/  
Assistant Registrar(T&P)

/True copy/

Sub Assistant Registrar(CS-IV)

To

- 1.The Superintendent of Police,  
O/o. The Superintendent of Police,  
Dindigul District.
- 2.The Inspector of Police,  
Vadamadurai Police Station,  
Dindigul District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1cc to Mr.J.PINAYGASH, Advocate, SR.No. 95305  
+1cc to Mr.K.MAHALAKSHMI, Advocate, SR.No.95313

Order made in  
H.C.P. (MD) No.1563 of 2018  
14.11.2018

RR  
KK/RSK/SAR-4/11.12.2018/2P-6C