



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.11.2018

CORAM:

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

H.C.P.[MD].No.1606 of 2018

Amirtham

: Petitioner

Vs.

1. The Superintendent of Police,
Madurai District, Madurai.
2. The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.
3. Kumar @ Anand

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the body and person of the petitioner's daughter, namely, Mahalakshmi, D/o.Azhagumalai, Female, aged about 22 years, before this Court and set her at liberty.

For Petitioner : Mr.K.M.Karunakaran
For Respondents 1&2 : Mr.K.K.Ramakrishnan
Additional Public Prosecutor

O R D E R

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

The present Habeas Corpus Petition has been filed by the mother of the detenu, seeking a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the body and person of the petitioner's daughter, namely, Mahalakshmi, D/o.Azhagumalai, Female, aged about 22 years, before this Court and set her at liberty.

2. According to the petitioner, she is working in a factory, where the third respondent is also working. He is a married man. Her daughter, the detenu herein, went missing from 05.11.2018. The petitioner, on enquiry, came to know that the third respondent had abducted the detenu. In this regard, the petitioner made a complaint before the second respondent. On receipt of the said complaint, the



second respondent police registered a case in Crime No.604 of 2018. Since there were no effective steps taken by the second respondent police to trace out the detenu, the petitioner has come up with the present Habeas Corpus Petition.

3. Today, when the Habeas Corpus Petition was taken up for consideration, the second respondent police produced the detenu. When we enquired the detenu enquiry, she has stated that she is aged about 22 years and since she was having love affair with the third respondent, on her own volition, she went out of the home along with him. However, she has expressed her willingness to go along with the petitioner, her mother.

4. In view of the above, since the detenu is not in illegal custody, in our considered view, nothing survives for adjudication in the Habeas Corpus Petition. Hence, the Habeas Corpus Petition is closed.

Sd/-
Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar (CS-IV)

To

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

NB

TE/SV/SAR-4 : 17/12/2018 : 2P/4C

ORDER MADE IN
H.C.P.[MD].No.1606 of 2018
26.11.2018