



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 16.11.2018

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH
AND

THE HONOURABLE MRS.JUSTICE R.THARANI
H.C.P(MD)No.1631 of 2018

Esak : Petitioner
Vs.

1. The Superintendent of Police,
Ramnad District.

2. The Inspector of Police,
Abiramam Police Station,
Ramnad District.

3. Sasikumar : Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, directing the respondents 1 & 2 to produce the detainee or her corpus, namely, Prema D/o.Esak, aged about 17 ½ years before this Court and set her at liberty forthwith.

For Petitioner : Mr.A.Uthayakumar

For Respondents : Mr.V.Neelakandan,
Additional Public Prosecutor
for R.1 & R.2

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 father of the detainee, seeking a Writ of Habeas Corpus, directing the respondents 1 & 2 to produce the person or body of the detainee, namely, Prema, aged about 17 ½ years, before this Court and set her at liberty.

2. According to the petitioner, his daughter was missing from 01.11.2018 onwards. Suspecting that the third respondent could have abducted her, the petitioner made a complaint before the second respondent, however, no effective steps have been taken by the respondents police to trace out the detainee and hence, 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 detainee. When we enquired the detainee, she has stated that she is aged about 17 ½ years and due to some misunderstanding, she went out of the home. It is represented that this is the second time, the detainee



has left the house, however, the detinue has further stated that she is ready and willing to go to her house, with her father / the petitioner herein.

4. Since the detinue is a minor and has expressed her willingness to go with her father / the petitioner herein, nothing survives for further adjudication, since there is no illegal detention. Hence, this Habeas Corpus Petition is closed, by setting the detinue at liberty.

Sd/-

Assistant Registrar(CRL.SIDE)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1. The Superintendent of Police,
Ramnad District.
2. The Inspector of Police,
Abiramam Police Station,
Ramnad District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras HighCourt, Madurai.

GK

KM/SV/SAR2/17.12.2018/2P/4C

**ORDER MADE IN
HCP (MD) No.1631 OF 2018
16.11.2018**