



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.1305 of 2018

K.Velsamy

: Petitioner

Vs.

1. State rep. by
The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

2. The Inspector of Police,
Mudhukulathor Police Station,
Mudhukulathor,
Ramanathapuram District.

3. Dinesh Babu

4. Shanmugam

5.Selvi

: 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 body of the petitioner's daughter namely Susimala, D/o.K.Velsamy, aged about 20 years old before this Court and set her at liberty.

For Petitioner

: Mr.P.Santhana Krishnan

For Respondents

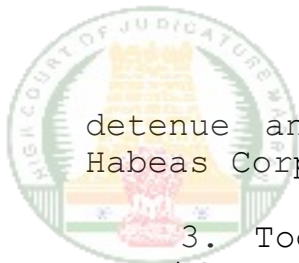
: Mr.V.Neelakandan,
Additional Public Prosecutor
for R.1 & R.2
Service awaited for R.3
No appearance for R.4 & R.5

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, Susimala, aged about 20 years, before this Court and set her at liberty.

2. According to the petitioner, his daughter was missing from 23.08.2018 onwards. In this regard, the petitioner made a complaint before the second respondent on 23.08.2018, however, no effective steps have been taken by the respondents police to trace out the



detenue 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 detenue. When we enquired the detenue, she has stated that she is aged about 20 years and since she fell in love with the third respondent, on her own volition, she went out of the home along with the third respondent and married him at a Temple. She has further stated that she is not in illegal custody.

4. In view of the above, since the detenue is not in illegal custody, in our considered view, nothing survives for adjudication in this Habeas Corpus Petition and the same is accordingly, closed.

Sd/-
Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1. The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

2. The Inspector of Police,
Mudhukulathor Police Station,
Mudhukulathor,
Ramanathapuram District.

+1cc to Mr.P.Santhana Krishnan, Advocate Sr.No.95879
+1cc to B.Santhanam Rajesh, Advocate Sr.No.96196

GK/SSL

KM/SV/SAR2/12.12.2018/2P/5C

**ORDER MADE IN
HCP(MD) NO. 1305 OF 2018
16.11.2018**