



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 05..07..2019

CORAM

The Honourable Mr. Justice M.M.SUNDRESH
and
The Honourable Mr. Justice M.NIRMAL KUMAR

Habeas Corpus Petition No.386 of 2019

U.Indira

... Petitioner

-Versus-

1. The State Rep. by,
Inspector of Police,
N-2, Kasimedu Police Station,
Chennai.

2. Rajesh

... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the 1st respondent to rescue the petitioner's daughter namely U.MONICA, aged 25 years from the illegal custody of the 2nd respondent and produce her before this court and set her at liberty.

For Petitioner

: M/s.S.Sivashankar &
S.Baskaran

For Respondents

: Mr.C.Iyyapparaj, APP for
R1

ORDER

[Order of the court was made by Justice M.M.SUNDRESH]

The petitioner is the mother of the detenu - U.Monica. Alleging that the detenu is missing, the present petition has been filed.

2. According to the petitioner, the detenu is in the illegal custody of the 2nd respondent.

3. The learned Additional Public Prosecutor, on instructions, in the presence of the Investigating Officer submitted that the detenu has eloped for the second time with the 2nd respondent, who is already married. Despite efforts



made, they could not be secured though the detenu was brought before the petitioner on the first occasion. The efforts are still on to secure both the detenu and the 2nd respondent.

4. We are convinced that it is a case of elopement. Therefore, there is no illegal detention involved. This is second occasion as could be seen from the records. In such view of the matter, we are inclined to close this matter, however, with a direction to the 1st respondent to proceed with the investigation.

5. In the result, this Habeas Corpus Petition stands closed accordingly with the above directions.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

kmk

To

1. The Inspector of Police, N-2,
Kasimedu Police Station,
Chennai.
2. The Public Prosecutor,
High Court, Madras.

H.C.P.No.386 of 2019

BS(CO)
CS/28/08/2019