

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :17.06.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.9885 OF 2019

Vani

... Petitioner

Vs.

The Inspector of Police,
S-12, Chitlapakkam Police Station,
Chitlapakkam, Chennai - 600 073.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, directing the respondent to produce my daughter Viz Jayasudha, aged 19 years or her body and set her at liberty before this Hon'ble Court.

For Petitioner : Mr.M.Thangadurai

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This petition has been filed to direct the police to find out the daughter of the petitioner, who has been missing since 15.02.2019.

2. The respondent Police filed a Status Report before this Court. It will be relevant to extract the Status Report in Paragraph Nos.6 and 7 which is as follows:

" 6. I submit that during the course of investigation on 04.03.2019, the Inspector of Police have formed a Special team headed by him along with Tr.Thambirajan, the Special Sub Inspector of Police and Tr.Senthamarai Kannan-HC-31946 attached to S-12 Chitlapakkam Police Station to secure the missing women Jayasudha."

7. I submit that on 04.03.2019, based on the intimation, the Special team went to Kalasapakkam Police Station. At that

time, the Detenue Jayasudha along with Sethupathy surrendered before the Kalasapakkam Police Station. The petitioner and her husband were also presented in the said police station. The Detenue expressed her not willingness to go along with the petitioner.".

3. In view of the fact that the detenue has expressed her willingness to stay along with Sethupathi, whom she has married and her unwillingness to go along with the petitioner, this Court cannot give a direction to the Police to hand over the detenue to the petitioner against her wishes. Admittedly, the detenue is a major.

4. In view of the fact that no further order can be passed in this case. This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

vv/kal
To

1. The Inspector of Police,
S-12, Chitlapakkam Police Station,
Chitlapakkam, Chennai - 600 073.
2. The Public Prosecutor,
High Court of Madras,
Chennai.

+1cc to M/s.M.Thanga Durai, Advocate, SR. No. 49511

PPA (CO)
RMP (02/07/2019)

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