

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.04.2019

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

HCP.No.620 of 2019

Punitha

.. Petitioner

Versus

1.The Commissioner of Police,
132, Commissioner Office Building
EVK Sampath Road, Vepery,
Periyamet,
Chennai-600 007.

2.The Inspector of Police,
CMBT, K-11 Police Station,
Anna nagar, Perambalur District.

3.Kathirvel

.. Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus to direct the respondents 1 and 2 herein to produce the body or person of the petitioner's Daughter V.Nivetha, D/o. Venkatesan, aged about 19 years and set her at liberty forthwith.

For Petitioner : Mr.D.Ravichander

For Respondents: Mr.C.Iyyappa Raj
Additional Public Prosecutor

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.]

The petitioner is the mother of the detinue, namely V.Nivetha, aged about 19 years (D.O.B 23.07.2018) and alleging illegal custody / detention at the hands of the 3rd respondent, came forward to file this Habeas Corpus petition.

2. The Habeas Corpus Petition was entertained and notice was ordered on 22.03.2019. The learned Additional Public Prosecutor made a mention today for the reason that the detainee has been traced and accordingly, the matter was listed today.

3. The detainee is produced before this Court and she would state that she is in love with the 3rd respondent and on her own volition, left the parental home and though they got married, they are unable to produce the proof of marriage, may be for the reason that the 3rd respondent is less than 21 years.

4. The parents of the 3rd respondent are also present before this Court and they would state that they will take care of the detainee like their daughter and her safety and well being would also be protected.

5. In the light of the fact that the detainee being a major, and she has also studied upto 10th standard, took conscious decision to go with the 2nd respondent and claims to have married him, she is set at liberty to take care of her future well being.

6. The Habeas Corpus petition is disposed of accordingly.

Sd/-

Assistant Registrar (CJ Conf)

//True Copy//

Sub Assistant Registrar

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To

1.The Commissioner of Police,
132, Commissioner Office Building
EVK Sampath Road, Vepery,
Periyamet, Chennai-600 007.

2.The Inspector of Police,
CMBT, K-11 Police Station,
Anna nagar, Perambalur District.

3.The Public Prosecutor
High Court, Madras.

HCP.No.620 of 2019

AD(CO)
GN(03/06/2019)