

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.09.2019

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice RMT. TEEKAA RAMAN

H.C.P. No.1962 of 2018

Jegadeshwari ... Petitioner

-vs-

1.The Inspector of Police,
Bagayam Police Station,
Vellore District.

2.Parthiban ... Respondents

Petition filed under Article 226 of the Constitution of India directing the first respondent to produce the person and body of the petitioner's minor daughter S.Aishwariya, aged 17 years, before this Court and hand over her custody to the petitioner herein.

For Petitioner : Mr.E.Kannadasan

For Respondents : Mr.R.Prathap Kumar
: Addl. Public Prosecutor for
R1

ORDER

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

Seeking a direction to the first respondent to produce the person and body of the petitioner's minor daughter S.Aishwariya, aged 17 years, before this Court and hand over her custody to the petitioner herein, the present Habeas Corpus Petition has been filed.

2. The petitioner is the mother of the detinue, who has filed this petition on the ground that she is in the illegal detention of the second respondent.

3. It is a case of second time elopement of the detenue with the second respondent. Earlier, a case was registered and the second respondent was arrested. Thereafter, once again the detenue eloped with him. Now, she has attained majority.

4. The learned Additional Public Prosecutor also produced a letter written by the petitioner to the Investigating Officer stating that she will not have any connection with the detenue as she has attained the age of majority. As of now, the detenue has completed 19 years.

5. In such view of the matter, the Habeas Corpus Petition stands dismissed. However, inasmuch as a criminal case is pending, endeavour should be made to secure the detenue and the second respondent against whom non-bailable warrant is pending. As and when the detenue is secured, she should be produced before the jurisdictional Magistrate.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
Bagayam Police Station,
Vellore District.

2.The Public Prosecutor,
High Court, Madras.

AKM/31.10.19 /2P-3C/

H.C.P. No. 1962 of 2018