

IN THE HIGH COURT OF JUDICIATURE AT MADRAS

DATED : 05.12.2019

CORAM :

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

H.C.P.No.2642 of 2019

Mohana
W/o.Senthil Kumar

Petitioner

versus

1.State : The Commissioner of Police,
Greater Chennai City Police,
Vepery, Chennai.

2.State : The Inspector of Police,
H-5, New Washermanpet Police Station,
Chennai.

Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, seeking to issue a Writ of Habeas Corpus, directing the respondents herein to produce the detinue, by name, Varsha, D/o.Senthil Kumar, aged about 19 years before this Court and set her at liberty.

For Petitioner : Mr.M.Kaveri Selvam

For Respondents: Mr.R.Prathap Kumar
Additional Public Prosecutor

O R D E R

[Order of this Court was made by R.SUBBIAH,J.]

This petition is filed praying for issuance of a Writ of Habeas Corpus to direct the respondents to produce the detinue, by name Varsha, aged about 19 years, daughter of the petitioner-Mohana, before this Court.

2. The petitioner is the mother of the detinue-Varsha, who is aged about 19 years. The detinue is studying B.Com (third year) in Dr.M.G.R.Janaki College, Chennai. On 23.10.2019, the detinue went to her college as usual but she has not returned home. Thereafter, the petitioner searched the detinue from her relatives and neighbours, home but she could not trace the detinue. In this regard, the petitioner preferred a complaint before the second respondent-Police, which was registered in FIR.No.786 of 2019. Since the

petitioner's daughter (detenue) could not be secured, this petition is filed by her mother.

3. When the petition is taken up for hearing today, the detenue-Varsha is produced before this Court. She is aged about 19 years. When we enquired her, she submitted that on her own volition, she went along with one Arumugam and both got married on 23.10.2019 at Marudhamalai Murugan Temple at Coimbatore. Further, she expressed her willingness only to go with her husband-Arumugam. The petitioner-mother is also present before this Court.

4. Since the detenue being major and not under illegal detention under anybody, this Court has no other option except to allow her to take her own decision. Hence, while setting her at liberty, this Court permits the detenue to go as per her wish, along with her husband-Arumugam.

5. With these observations, the Habeas Corpus Petition is closed. The second respondent-Police is directed to close the complaint registered in FIR.No.786 of 2019, after production of the registration of detenue's marriage certificate.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

sri

To

1.The Commissioner of Police,
Greater Chennai City Police, Vepery, Chennai.

2.The Inspector of Police,
H-5, New Washermanpet Police Station, Chennai.

3.The Public Prosecutor,
High Court, Madras.

H.C.P.No.2642 of 2019

BR(CO)
GN(04/02/2020)