

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.10.2019

Coram

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

H.C.P. No. 2674 of 2018

A.Periyayee

... Petitioner

-vs-

1.The Superintendent of Police,
Kancheepuram District,
Kancheepuram.

2.The Inspector of Police,
Thazhampur Police Station,
Kancheepuram District.

3.Iyyappan

...Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus directing the respondents to produce the petitioner's daughter by name Kalyani, aged about 18 years before this Court and set her at liberty.

For Petitioner : No appearance

For Respondents : Mr.R.Prathap Kumar
: Addl. Public Prosecutor for
R1,R2

ORDER

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

Seeking a direction to the respondents to produce the petitioner's daughter by name Kalyani, aged about 18 years, before this Court and to set her at liberty, the present Habeas Corpus Petition has been filed.

2. There is no representation on behalf of the petitioner.

3. The learned Additional Public Prosecutor submitted that the petitioner is the mother of the detainee. This is a case of second time elopement of the detainee with the third respondent. There is also a question mark over the character of the petitioner. After the detainee was restored back to the petitioner, within two weeks, she once again left.

4. From the above, we do not find any illegal detention involved in this case. However, the investigation shall go on and as and when the detainee is secured, she should be produced before the learned jurisdictional Magistrate and the assistance of the Legal Aid Authorities may be sought for so as to give appropriate assistance to the detainee. We also note that at the time of second time elopement, the detainee was a major.

5. With the above said observation, the Habeas Corpus Petition stands closed.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

mmi/ssm

To

1.The Superintendent of Police,
Kancheepuram District,
Kancheepuram.

2.The Inspector of Police,
Thazhampur Police Station,
Kancheepuram District.

3.The Public Prosecutor,
High Court, Madras.

सत्यमेव जयते

H.C.P. No. 2674 of 2018

GP(CO)
SP(03/12/2019)

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