



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE P.N.PRAKASH

AND

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

H.C.P. (MD) No.1818 of 2018

Angammal : Petitioner
Vs.

The State
Rep. By its Inspector of Police,
Aruppukottai Taluk Police Station,
Virudhunagar District. : Respondent

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, to direct the respondent to produce the body of the detainee namely, Minor Kodeeswari, daughter of Thiruvalluvar, aged about 17 years, before this Court and hand over the custody to the petitioner.

For Petitioner : Mr.A.Baskaran
For Respondents : Mr.S.Chandrasekar
Additional Public Prosecutor

ORDER

B. PUGALENDHI, J

This is the second Habeas Corpus Petition.

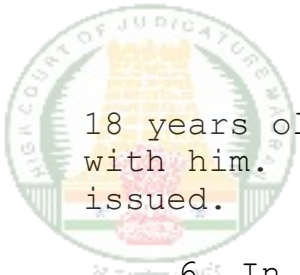
2. It is the case of the petitioner that her daughter Kodeswari, whose date of birth is 21.02.2001 went missing from the Ladies Hostel at Tirunelveli from 12.05.2018 in connection with which, a case in Crime No.341/2018 under Section 366 IPC was registered. Not satisfied with the conduct of investigation, the petitioner's husband, viz., Thiruvalluvar, has filed HCP(MD) No.769 of 2018 before this Court and the police produced the detainee on 18.07.2018. It is alleged by the petitioner/mother of the detainee that her daughter has once again gone away with one Devaraj and hence, the second Habeas Corpus Petition has been filed.

3. Mr.T.Santhosh, Sub Inspector of Police, Aruppukottai Taluk Police Station is present.

4. On instructions, the learned Additional Public Prosecutor submitted that Kodeswari was in love with Devaraj and she had eloped with him.

<https://hcservices.ecourts.gov.in/hcservices/>

5. We find that even according to the petitioner, Kodeswari was studying first year B.Sc., (Nursing) and obviously she is more than



18 years old. She has gone with the said Devaraj, as she is in love with him. Under such circumstances, no Writ of Habeas Corpus can be issued.

6. In the result, the Habeas Corpus Petition is closed.

WEB COPY

Sd/-

Assistant Registrar (CS II)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Inspector of Police
Aruppukottai Taluk Police Station,
Virudhunagar District.
- 2.The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD)No.1818 of 2018
11.03.2019

RR

KK/SAR-/26.03.2019/2P-3C