



BEFORE THE MADURAI BENCH OF THE MADRAS HIGH COURT

DATE : 31.07.2019

CORAM

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THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
AND

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

H.C.P. (MD) NO. 714 OF 2019

Fathima

... Petitioner

- Vs -

1. The Commissioner of Police
Madurai.

2. The Inspector of Police
Sellur Police Station
Sellur
Madurai.

... Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of habeas corpus directing the respondents to produce the petitioner's daughter, Jajitha, D/o Raja, aged about 18 years, before before this Hon'ble Court and set her at liberty.

For Petitioner : Mr.P.Ganapathi Subramanian
For Respondents : Mr.K.Dinesh Babu, APP

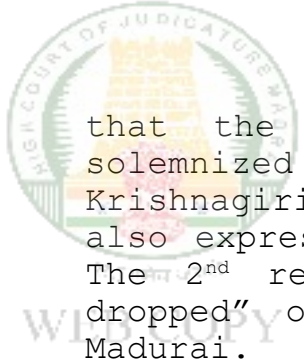
ORDER

(Order of the Court was made by M.Sathyanarayanan, J.)

The petitioner is the mother of the detinue, viz., Jajitha, aged about 19 years (DOB - 28.5.2000) and alleging that she is missing from 9.6.19, has lodged a complaint on the file of the 2nd respondent, based on which a case in Crime No.585/19 was registered for 'Woman Missing'.

2. Learned counsel appearing for the petitioner submits that since no effective action has been taken by the 2nd respondent and apprehending the safety, well being and whereabouts of her daughter, has come forward to file the present petition.

3. Heard the learned counsel appearing for the petitioner and Mr.Dinesh Babu, learned Addl. Public Prosecutor, who accepts notice for the 2nd respondent, on instructions, submit that the detinue as well as one Andandan, had appeared before D-2, Sellur Police Station and they have stated that they loved each other and had married and



that the marriage is an inter-religious marriage, which was solemnized on 14.6.19 at Balamurugan Temple, Bargur Taluk, Krishnagiri District as per Hindu rites and customs and the detinue also expressed that she does not want to go to her parental home. The 2nd respondent has also filed final report stating "action dropped" on the file of the Court of Judicial Magistrate No.2, Madurai.

4. In the light of the above facts and circumstances, it cannot be said that the detinue, who is aged about 19 years is under illegal custody/detention and she being a major and also educated, is set at liberty to take her own decision as to her future and well being.

5. This habeas corpus petition is disposed of accordingly.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Commissioner of Police
Madurai.
2. The Inspector of Police
Sellur Police Station
Sellur, Madurai.
3. The Addl. Public Prosecutor
Madurai Bench of Madras High Court
Madurai.

H.C.P. (MD) NO.714 OF 2019
31.07.2019

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