

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.10.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
AND
THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

H.C.P.NO.1268 OF 2020

V.Rajeswari
W/o. Vadivel

.. Petitioner

Vs

1. The State Rep.by
The Commissioner of Police,
Greater Chennai Police,
Vepery, Chennai -600 007.
2. The Inspector of Police,
K-1, Sembium Police Station,
Sembium, Chennai -600011.
3. Magesh, S/o.Kabali .. Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of habeas corpus to direct the 1st & 2nd respondents to produce the petitioner's daughter Kavitha, aged 22 years before this Court from the illegal custody of the 3rd respondent/accused in Crime No.499/2020 dated 26.05.2020 on the file of the 2nd respondent.

For Petitioner .. Mr.A.Sriram

For Respondent.. Mr.R.Prathap Kumar
Addl. Public Prosecutor

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

The petitioner, who is the mother of the detainee, seeks her custody and production before the Court.

2. Today, the petitioner, 3rd respondent, his wife and the detainee are present.

3. The 3rd respondent is the married man having two children. The detainee, admittedly, being a major eloped with him.

4. Despite our efforts to resolve the problem, the detainee is very adamant that she would live only with the 3rd respondent and therefore, she refused to rejoin the petitioner. We made the detainee to have a detailed talk with the petitioner, 3rd respondent and the wife of the 3rd respondent. Our efforts went in vain.

5. In such view of the matter, the detainee being a major, we do not find any illegal detention is involved as it is volunteered after the decision on her part and the Habeas Corpus Petition stands closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

raa/ak

To

1. The Commissioner of Police,
Greater Chennai Police,
Vepery, Chennai -600 007.
2. The Inspector of Police,
K-1, Sembium Police Station,
Sembium, Chennai -600011.
3. The Public Prosecutor,
High Court, Madras.

सत्यमेव जयते

HCP.No.1268 of 2020

PP(CO)
CS/03/11/2020

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