

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.10.2020

CORAM

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

H.C.P.NO.1591 OF 2020

A.Subramanian ... Petitioner

-vs-

1. The Commissioner of Police,  
Office of the Commissioner of Police,  
Vepperi, Chennai - 07.

2. State Rep. By  
Inspector of Police Station,  
V3 JJ Nagar Police Station,  
Anna Nagar, Chennai - 37.

... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the second respondent herein to secure and produce the body of the detainee, the daughter of the petitioner, namely, S.Kirthika, D/o. A.Subramanian, aged about 24 years, before this Court and set him at liberty.

For Petitioner .. Mr.A.Selvendran

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

ORDER

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

The petitioner, who is the father of the detainee seeks her production before this Court pursuant to the complaint given.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. Learned Additional Public Prosecutor, on instructions, submits that the enquiry so far done reveals that the detainee

left the parental home on her own volition after drafting a letter to that effect. She did not agree for the marriage proposal as she is not interested in the marriage. However, the investigation is still on.

4. From the submissions made by the learned Additional Public Prosecutor, we are not inclined to keep the habeas corpus petition pending any longer. The letter which has been filed by the petitioner himself before this Court clearly indicates the mindset of the detainee. In specific terms she has stated that she is not interested in any form of marriage. She further stated that she should not be traced. Any further attempt to bring her back would result in her death.

5. In such view of the matter, the habeas corpus petition stands closed as we do not find any illegal detention involved. However, the investigation done till now, being preliminary, shall continue. As and when the detainee is secured, she should be produced before the jurisdictional Magistrate. If no further progress is made, liberty is given to the petitioner to take appropriate action in the manner known to law including approaching this Court once again.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

mmi/ssm

To

1. The Commissioner of Police,  
Office of the Commissioner of Police,  
Vepperi, Chennai - 07.
2. The Inspector of Police Station,  
V3 JJ Nagar Police Station,  
Anna Nagar, Chennai - 37.
3. The Public Prosecutor,  
High Court, Madras.

H.C.P.No.1591 of 2020

RSV(CO)  
CS/01/12/2020