

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.11.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH

AND

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

H.C.P.No.2206 of 2020

S.Eswari ..Petitioner

Vs

1.State Rep. By .. Respondents

The Superintendent of Police,
Krishnagiri District Police Office,
Krishnagiri District.

2.The Inspector of Police,
Pochampalli Police Station,
Krishnagiri District.

3.Sirajunisha

Petition filed under Article 226 of the Constitution of India praying for issue of a Writ of Habeas Corpus directing the 2nd respondent to produce the body of the petitioner's daughter Savithiri, aged about 32 years, before this Court from the 3rd respondent and set her at liberty.

For Petitioner .. Ms.S.Sujatha

For Respondents .. Mr.R.Prathap Kumar
Additional Public Prosecutor
for R1 and R2

ORDER

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

Seeking a direction to the second respondent to produce the body of the petitioner's daughter Savithiri, aged about 32 years, before this Court from the 3rd respondent and to set her at liberty, the present habeas corpus petition has been filed by the mother of the detainee.

2.Heard the learned counsel appearing for the parties.

3.Learned Additional Public Prosecutor, on instruction, submitted that the enquiry was conducted with the detainee in the presence of the petitioner and the husband of the detainee. Pursuant to the said enquiry, the detainee was allowed to go with the sister. Accordingly, the complaint was closed.

4.The detainee is the mother of three children. It appears that there was a relationship between the detainee and another lady of the same sex. The petitioner has also given a statement on 03.11.2020.

5.In the light of the said submission made by the learned Additional Public Prosecutor, nothing survives in this habeas corpus petition. The detainee being a mother of three children apart from being a major has left on her own volition. Thus, there is neither any illegal custody nor any detention involved.

6. The habeas corpus petition stands closed.

-Sd/-

Assistant Registrar (CS III)

// True Copy //

Sub Assistant Registrar

mmi/ssm

To

1.The Superintendent of Police,
Krishnagiri District Police Office,
Krishnagiri District.

2.The Inspector of Police,
Pochampalli Police Station,
Krishnagiri District.

3.The Public Prosecutor,
High Court, Madras.

H.C.P.No.2206 of 2020

GJ (CO)

UM (14.12.2020)