



WEB COPY

IN THE HIGH COURT OF JUDICIATURE AT MADRAS

DATED : 07.01.2020

CORAM :

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

H.C.P.No.2842 of 2019

C.Sreedharan

... Petitioner

versus

1.State rep. by
The Deputy Commissioner of Police,
St. Thomas Mount Police District,
St. Thomas Mount, Chennai.

2.State rep. by
The Assistant Commissioner of Police,
Office of the Assistant Commissioner,
Pallavaram, Chennai - 600 043.

3.State rep. by
The Inspector of Police,
Pallavaram Police Station,
Pallavaram, Chennai-600 043.

4.Vinoth

5.Thangaraj

6.Rathinam

7.Selvan

8.Mallika

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, seeking to issue a Writ of Habeas Corpus, directing the third respondent police to secure and produce the detenues (1) the daughter of the petitioner namely Srividya, aged about 35 years and (2) minor grand daughter of the petitioner namely Lakshaya, aged about 10 years from the illegal custody of 4 to 8



WEB COPY

respondents before this Court and set them free.

For Petitioner : Mr.V.R.Appaswamee

For Respondents : Mr.R.Prathap Kumar,
Additional Public Prosecutor
for R1 to R3

Mr.G.V.Sridharan for R4 to R8

O R D E R

(Order of this Court was made by R.SUBBIAH,J.)

This Habeas Corpus Petition has been filed for a direction to produce the detenues, namely, Srividya and Lakshaya, aged about 35 and 10 years respectively before this Court and set them at liberty.

2.The petitioner is the father and grand father of the detenues, namely, Srividya and Lakshaya, aged about 35 and 10 years respectively. The petitioner has stated in the affidavit filed in support of this petition that her daughter Srividya was married to one T.Vijayasarithi and due to their wedlock, they were blessed with a daughter namely Lakshaya. Due to difference of opinion arose between themselves, they got divorce on 13.04.2016. After divorce, his daughter and his grand daughter have been living with him at Zamin Pallavaram. While so, on 24.11.2019, the detenues informed the petitioner that they are going to Thiruverkadu Temple. But after a long time, they did not return home. On enquiry, it was found that one Vinoth, who is the fourth respondent herein, took them somewhere on compulsion. In this regard, the petitioner lodged a complaint against the fourth respondent before the third respondent Police at Pallavaram Police Station and a case was registered in Crime No.705 of 2019. Since the police has not taken any steps to secure the detenues from the fourth respondent, the petitioner is before this Court with the present Habeas Corpus Petition.

3.Today, when the petition is taken up for consideration, the detenues were produced before this Court.

4.The first detinue, Srividya submitted before this Court that she got divorce from her erstwhile husband and she married the fourth respondent and she is staying along with her daughter. She would further submit that now she is willing to go along with the petitioner and that there was no illegal



detention.

5. In view of the submission made by the first detinue, nothing survives for further adjudication in this Habeas Corpus Petition. As there is no allegation of illegal detention, the Habeas Corpus Petition stands closed.

Sd/-
Asst.Registrar (CS VII)

/true copy/
Sub Asst. Registrar

To

1.State rep. by
The Deputy Commissioner of Police,
St. Thomas Mount Police District,
St. Thomas Mount, Chennai.

2.State rep. by
The Assistant Commissioner of Police,
Office of the Assistant Commissioner,
Pallavaram, Chennai - 600 043.

3.State rep. by
The Inspector of Police,
Pallavaram Police Station,
Pallavaram, Chennai-600 043.

4.The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.V.R.Appaswamee Advocate sr1596
+2 ccs to M/s.G.V.Sridharan Advocate sr1235

H.C.P.No.2842 of 2019

aa09/01/2020