

IN THE HIGH COURT OF JUDICIATURE AT MADRAS

DATED : 31.01.2020

CORAM :

**THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN**

H.C.P.No.2893 of 2019

Murugaiyan

... Petitioner

versus

State by

The Sub Inspector of Police,
Kavandapadi Police Station,
Kavandapadi,
Erode District.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India, seeking to issue a Writ of Habeas Corpus, directing the respondent herein to produce the body of petitioner's daughter M.Sangeetha, S/o.Murugaiyan, aged about 26 years before this Court and set her at liberty.

For Petitioner : Mr.S.Lakshmanasamy

For Respondent : Mr.R.Prathap Kumar,
Additional Public Prosecutor

ORDER

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

This Habeas Corpus Petition has been filed seeking a direction to the respondent herein to produce the body of petitioner's

daughter namely, M.Sangeetha, S/o.Murugaiyan, aged about 26 years before this Court and set her at liberty.

2.In the affidavit filed in support of the petition, it is averred that the petitioner is the father of the detainee and she went to Gobichettipalayam on 21.09.2019. When the petitioner tried to contact her daughter through her mobile, the same was switched off. Thereafter, the petitioner found that her daughter sent a message stating that she was in her friend's home. Despite search made by the petitioner, he could not trace her daughter. In this regard, the petitioner lodged a complaint before the respondent police and the same was registered in Crime No.458 of 2019 for woman missing. Since the police has not taken any steps to secure the detainee, the petitioner is before this Court with the present Habeas Corpus Petition.

3.Today, when the petition is taken up for consideration, the detainee was produced before this Court. On enquiry, she would submit that she fell in love with one Manikandan and on her volition, she went along with him and married him on 22.09.2019 at Murugan Temple, Seranmadevi, Tirunelveli District. She expressed

her un-willingness to go along with the petitioner and that there is no illegal detention.

4.Since the detenue, who is a major, is at liberty to take her own decision, we are the opinion that there is no illegal detention. Recording the submission made by the detenue, the Habeas Corpus Petition stands closed as nothing survives for further adjudication in this Habeas Corpus Petition.

[R.P.S.,J] [G.K.I.,J]
31.01.2020

Speaking Order/Non Speaking Order
Index : Yes / No
vga

To

1.The Sub Inspector of Police,
Kavandapadi Police Station,
Kavandapadi,
Erode District.

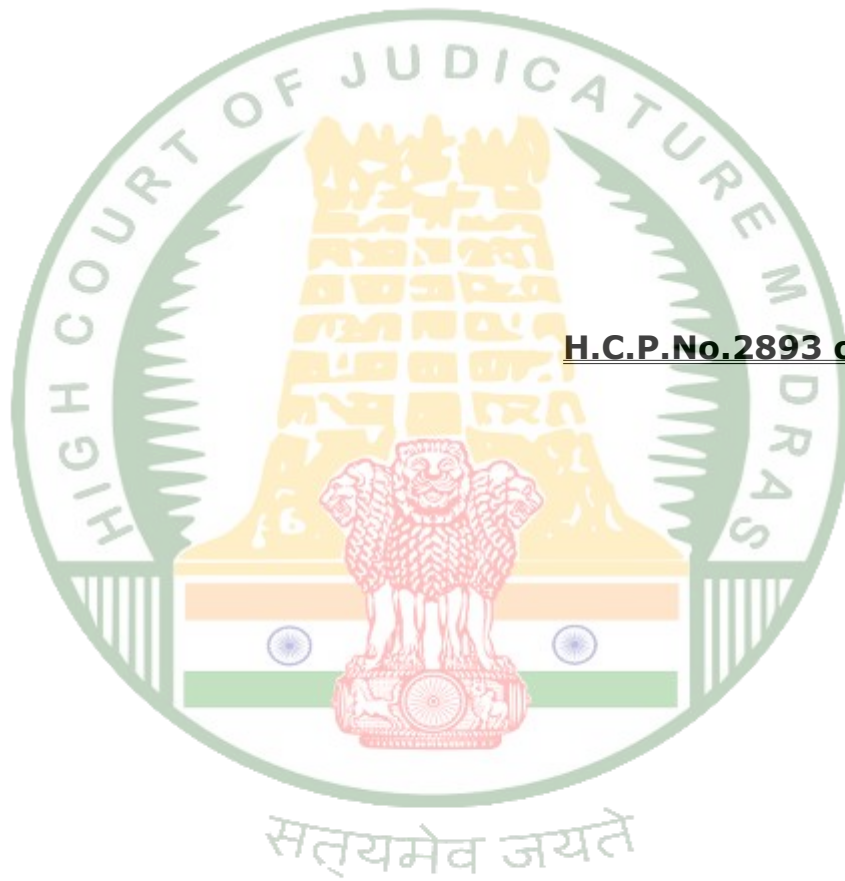
2.The Public Prosecutor,
High Court, Madras.

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R.SUBBIAH, J.
AND
G.K.ILANTHIRAIYAN, J

vga



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