

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2021

Coram

The Hon'ble Mr. Justice P.N.PRAKASH
and
The Hon'ble Mr. Justice V.SIVAGNANAM

H.C.P. No. 266 of 2021

S.Kavitha .. Petitioner /Mother of Detenue

Vs

- 1.The Superintendent of Police,
Kancheepuram District,
Kancheepuram.
- 2.Inspector of Police,
Kuthalam Police Station,
Kuthalam, Mayiladuthurai - 601 803.
- 3.Kishoriya
- 4.The Inspector of Police,
Sunguvarchathiram,
Kancheepuram District.
- 5.The Inspector of Police,
Baluchettichathiram,
Kancheepuram District.

.. Respondents

(R4 and R5 suo motu impleaded
vide order dated 17.02.2021 in
H.C.P.No.266 of 2021)

Prayer : Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue a writ of Habeas Corpus to direct the respondents to produce the body of the petitioner's daughter namely Ms.Sivaranjani, aged about 19 years before this Court and set her at liberty.

For Petitioner : Mr.M.Anbalagan
For Respondents: Mr.R.Prathap Kumar,
Addl.Public Prosecutor
for R1, R2, R4 and R5
Mr.B.Sankar Ganesh
for R3 and detenue

ORDER

[Order of the Court was made by V.SIVAGNANAM, J.]

Seeking a direction to the respondents to produce the body of the petitioner's daughter namely Sivaranjani, aged about 19 years before this Court and to set her at liberty, the present habeas corpus petition has been filed.

2.It is the case of the petitioner that her daughter Sivaranjani, aged about 19 years, is in the illegal custody of the third respondent and that the police are not taking effective steps to secure her.

3.Today, Mr.K.Suresh Babu, Sub Inspector of Police, B4 Baluchettychathiram Police Station, Kancheepuram District and Mr.K.Prem Kumar, Sub Inspector of Police, Kuthalam Police Station are present.

4.On instructions, learned Additional Public Prosecutor submitted that on the complaint given by the petitioner, a case in Baluchettychathiram Police Station Crime No.60 of 2021 was registered on 03.02.2021 for woman missing and during investigation, it came to light that Sivaranjani was in love with one Abiraj and had eloped with him.

5.Today, the petitioner, Sivaranjani and Abiraj are present.

6.When enquired by this Court, Sivaranjani stated that her date of birth is 11.08.2002 and that she was in love with Abiraj, which was not agreeable to her parents and therefore, she ran away with him and got married to him on 14.01.2021.

7.In view of the above, it cannot be stated that Sivaranjani is in the illegal custody of anyone. Therefore, this habeas corpus petition stands dismissed.

Sd/-

Assistant Registrar (CS.III)

/True Copy/

Sub Assistant Registrar

To

- 1.The Superintendent of Police,
Kancheepuram District,
Kancheepuram.
- 2.Inspector of Police,
Kuthalam Police Station,
Kuthalam, Mayiladuthurai - 601 803.
- 3.The Inspector of Police,
Sunguvarchathiram,
Kancheepuram District.
- 4.The Inspector of Police,
Baluchettichathiram,
Kancheepuram District.
- 5.The Public Prosecutor,
High Court of Madras, Chennai.

+1cc to M/s.M.Anbalagan, Advocate Sr.No.12384

AKM/17.03.21 /3P-7C/

H.C.P. No. 266 of 2021

01.03.2021



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