

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2021

Coram

The Honourable Mr. Justice P.N.PRAKASH
and
The Honourable Mr. Justice V.SIVAGNANAM

H.C.P. No.215 of 2021

Chitra

.. Petitioner

Vs.

1.The Inspector of Police,
Thirukoilur Police Station,
Kallakurichi District.

2.Raghul

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of Habeas Corpus directing the first respondent to produce the petitioner's daughter Nivetha, aged about 22 years, before this Court, who is presently under the illegal custody of the said Raghul, second respondent herein and set her at liberty.

For Petitioner : Mr.P.Vasanth

For R1 : Mr.R.Prathap Kumar
Additional Public Prosecutor

ORDER

[Order of the Court was made by P.N.PRAKASH, J.]

This habeas corpus petition has been filed seeking to direct the first respondent to produce the petitioner's daughter Nivetha, aged about 22 years, before this Court, who is presently under the illegal custody of the said Raghul, second respondent herein and set her at liberty.

2. It is the case of the petitioner that her daughter Nivetha, aged about 22 years, is under the illegal custody of Raghul, second respondent herein and that the police are not taking effective steps to secure her.

3. Today, Mr.K.Ezhumalai, Special Sub-Inspector of Police, Thirukoilur Police Station, Kallakurichi District, is

present.

4. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Thirukoilur Police Station Crime No.2084 of 2020 for 'woman missing' was registered; during investigation, it came to light that Nivetha has eloped with Raghul, second respondent herein; Nivetha was secured on 02.01.2021 and the petitioner was also informed of it; the enquiry was conducted by Raju, Deputy Superintendent of Police, Thirukoilur Sub-Division; during enquiry, Nivetha told that she had gone on her own volition with Raghul, second respondent herein and therefore, the petitioner gave a letter stating that she is withdrawing the complaint.

5. The learned Additional Public Prosecutor has produced a copy of the letter given by the petitioner and the statements of the petitioner, Nivetha (detenue) and Raghul, second respondent herein, that were recorded by the police, a copy of which, has been furnished to the learned counsel for the petitioner across the bar.

Recording the same, this habeas corpus petition is closed.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

nsd

To

1.The Deputy Superintendent of Police,
Thirukoilur Sub-Division.

2.The Inspector of Police,
Thirukoilur Police Station,
Kallakurichi District.

3.The Public Prosecutor,
Madras High Court,
Chennai - 600 104.

H.C.P. No.215 of 2021

AJS (CO)
CB(09/03/2021)