

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.06.2021

Coram

The Honourable Mr. Justice P.N.PRAKASH  
and  
The Honourable Mr. Justice R.PONGIAPPAN

H.C.P.No.848 of 2021

Kumar

.. Petitioner

Vs.

1.The Assistant Commissioner of Police,  
Annandhanapatty, Salem City,  
Salem District.

2.The Inspector of Police,  
Kondalampatti Police Station,  
Salem City, Salem District.

..Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents police to produce the petitioner's missing daughter viz., Nandhini, aged about 22 years, before this Court and set her at liberty forthwith.

For Petitioner : Mr.A.Gokulakrishnan

For Respondents : Mr.J.C.Durairaj  
: Govt. Advocate  
(Crl.Side)

सत्यमेव जयते

ORDER

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

This habeas corpus petition has been filed seeking to direct the respondents police to produce the petitioner's missing daughter viz., Nandhini, aged about 22 years, before this Court and set her at liberty forthwith.

2. It is the case of the petitioner that his daughter Nandhini, aged about 22 years, went missing from 22.02.2021 and that the police are not taking effective steps to secure her.

3. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Kondalampatti Police Station Crime No.138 of 2021 for 'woman missing' was registered on 22.02.2021 and during the course of investigation, it came to light that Nandhini was in love with one Yesuraj and had eloped with him on 22.02.2021 and got married to him on the same day at Trichy.

4. In such view of the matter, it cannot be stated that Nandhini is the illegal custody of anyone for the issuance of writ of habeas corpus.

Recording the same, this habeas corpus petition is closed. As and when the detainee Nandhini, aged about 22 years, is secured, she shall be produced before the jurisdictional Magistrate, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders with regard to the custody in accordance with law.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

nsd

To

1.The Assistant Commissioner of Police,  
Annandhanapatty, Salem City,  
Salem District.

2.The Inspector of Police,  
Kondalampatti Police Station,  
Salem City, Salem District.

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

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JPL(CO)  
CB(05/07/2021)