



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.09.2021

Coram

THE HONOURABLE MR. JUSTICE P.N.PRAKASH
and
THE HONOURABLE MS. JUSTICE R.N.MANJULA

H.C.P.No.1454 of 2021

A.Aruchamy

.. Petitioner

Vs.

- 1.The Superintendent of Police,
Tirupur District,
Tirupur.
- 2.The Deputy Superintendent of Police,
Avinashi,
Tirupur District.
- 3.The Inspector of Police,
Avinashi Police Station,
Tirupur District.
- 4.Surya
S/o.Paramasivam

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the third respondent to produce before this Court the detinue, petitioner's daughter Malathi d/o.A.Aruchamy, aged about 23 years, who is possibly under the illegal detention of fourth respondent and set her at liberty.

For Petitioner : Mr.P.K.Ganesh
for M/s.K.Balasubramaniam

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

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

This petition has been filed seeking a direction to the third respondent to produce the petitioner's daughter Malathi, aged about 23 years, before this Court and set her at liberty.



2. It is the case of the petitioner that his daughter Malathi, aged about 23 years, went missing from 09.08.2021 and the police are not taking effective steps to secure her.

3. Learned Additional Public Prosecutor appearing for the State submits that on the complaint given by the petitioner, a case in Avinashi P.S. Crime No.875 of 2021 for 'woman missing' was registered on 10.08.2021.

4. While so, it appears that Malathi was in love with the third respondent, had eloped with him and surrendered before the All Women Police Station, Thenkasi. On her surrender, a petition enquiry in CSR No.472 of 2021 was registered and the relatives of Malathi came to the police station and during enquiry, she stated that she is in love with the third respondent and wants to go with him. Since Malathi is a major, she cannot be compelled to go with the petitioner.

Accordingly, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

gm

To

1.The Superintendent of Police,
Tirupur District,
Tirupur.

2.The Deputy Superintendent of Police,
Avinashi,
Tirupur District.

3.The Inspector of Police,
Avinashi Police Station,
Tirupur District.

4.The Public Prosecutor,
High Court, Madras.

+1CC to M/s.K.Balasubramaniam, Advocate SR No.48367

H.C.P.No.1454 of 2021

MG (CO)

B.VC (07/10/2021)