



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.06.2021

CORAM:

**THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM**

**and**

**THE HONOURABLE MR.JUSTICE G.ILANGO VAN**

H.C.P. (MD) No.686 of 2021

R.Lakshmi

... Petitioner/Mother of the  
detenue

-vs-

1.The Commissioner of Police,  
Madurai City,  
Alagarkoil Road,  
Madurai.

2.The Inspector of Police (L & O),  
Jaihindpuram Police Station,  
Madurai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus, directing the respondents 1 & 2 to produce the body or detenue namely Niveethitha daughter of the petitioner, aged 26 years before this Court and set her at liberty.

For Petitioner : Mr.R.Ramachandran

For Respondents : Mr.S.Ravi

Standing Counsel for Government

For Detenue : Mr.Niranjan S.Kumar

### **O R D E R**

**[Order of the Court was made by K.KALYANASUNDARAM, J.]**

This habeas corpus petition has been filed for a direction to the respondents 1 & 2 to produce the petitioner's daughter, namely, Niveethitha, aged 26 years, before this Court and set her at liberty.

2.The petitioner is the mother of the detenue. It is stated that the detenue was working in Maha Sukiran Finance Company, which is situated at Madurai and after knowing the phone calls and messages received by the detenue, the petitioner did not allow her to go for work. In the above circumstances, when the detenue went to a Temple on 13.04.2021 at 05.00 p.m., did not return back to the house and hence, she lodged a complaint with the second respondent on 14.04.2021.



3. When the matter was listed for hearing on 30.04.2021, the petitioner as well as the detainee appeared through Video Conference, it appears that she was not willing to go with her mother, the petitioner herein and after hearing the petitioner, this Court directed the respondent police to conduct an enquiry to find out whether the detainee is illegally detained.

4. Mr.S.Ravi, learned Standing Counsel appearing for the State Government would argue that as per the order of this Court, dated 30.04.2021, an enquiry was conducted by the second respondent. The learned Standing Counsel placed on record the statement of the petitioner, the detainee, employer of the detainee Senthorselvam and Hostel Manager.

5. Heard Mr.R.Ramachandran, learned counsel appearing for the petitioner, Mr.S.Ravi, learned Standing Counsel for the State Government and Mr.S.Niranjan S.Kumar, learned counsel appearing for the detainee and perused the materials available on record.

6. From the report, it is seen that the detainee is not in illegal detention and on her own volition she is staying in a Sai Ladies Hostel, Madurai. Even today we have enquired the detainee and she expressed her unwillingness to go with the petitioner.

7. In view of the above, we find no merit in the habeas corpus petition and hence, the same is closed.

Sd/-

Assistant Registrar (CS I)

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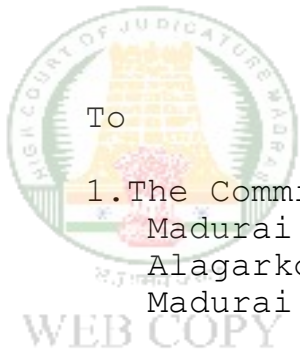
/ /2021

Sub Assistant Registrar(CS)

am

**Note :**

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.



To

1.The Commissioner of Police,  
Madurai City,  
Alagarkoil Road,  
Madurai.

2.The Inspector of Police (L & O),  
Jaihindpuram Police Station,  
Madurai.

3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1 CC to M/s.NIRANJAN S. KUMAR, Advocate ( SR-18757[F] dated  
04/06/2021 )

**H.C.P. (MD) No.686 of 2021**  
**04.06.2021**

KK(16.06.2021) 3P 5C