



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

and

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

H.C.P. (MD) No.1229 of 2021

Kalavathi

... Petitioner/Mother of the detenue

-VS-

1.The Superintendent of Police,
Pudukkottai District.

2.The Inspector of Police,
Alangudi Police Station,
Pudukkottai District.

3.A.Vijaykumar

... Respondents

PRAYER : Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus directing the 1st and 2nd Respondents to produce the person or body of the Detenu Minor Thenmozhi (aged about 17) daughter of Late Velayutham and the Petitioner from the illegal custody of the 3rd Respondent before this Hon'ble Court and hand over the custody of the minor Thenmozhi to the Petitioner.

For Petitioner : Ms.Arul Jenifer

For Respondents : Mr.S.Ravi

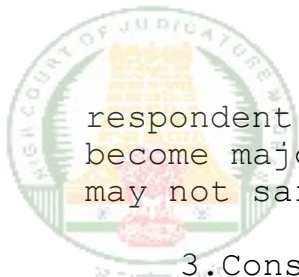
Standing counsel for the State

O R D E R

(Order of the Court was made by V.BHARATHIDASAN, J.)

This Habeas Corpus Petition has been filed by the mother of the detenue, namely, Minor Thenmozhi, aged about 17 years, alleging that the third respondent has kidnapped the minor detenue and though a case has been registered by the second respondent in Crime No.486 of 2021, for girl missing, based on the complaint of the petitioner, no action was taken to trace her.

2. When the matter is taken up for hearing today, on the mentioning made by Mr.S.Ravi, learned Standing counsel appearing for the State, the detenue has been secured and produced before this Court. On enquiry, the detenue stated that she has become major and she on her own went along with the third respondent and they have also got married. The petitioner and the third respondent are also present before this Court. The petitioner stated that when the third



respondent kidnapped the detainee, she was a minor, subsequently, has become major and the petitioner apprehends that the third respondent may not safeguard the interest of the detainee.

3.Considering the fact that the detainee has become major and she has stated that she has voluntarily left the home, married the third respondent and wants to go along with him, it cannot be said that she is under illegal custody and hence, she is set at liberty.

4.In view of the above, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sj

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 Superintendent of Police,
Pudukkottai District.
- 2.The Inspector of Police,
Alangudi Police Station,
Pudukkottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER MADE IN
H.C.P. (MD) No.1229 of 2021
08.09.2021

GC(21.09.2021) 2P 4C