



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

H.C.P. (MD) .No.1518 of 2021

WEB COPY

J.Sangeetha

... Petitioner/Mother of the Detenu

-vs-

1.The Superintendent of Police,
District Police Office,
Theni, Theni District.

2.The Inspector of Police,
Guddalur North Police Station,
Theni District.

3.Moovendaran

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the body or person of the petitioner's son namely J.Abishek, S/o.Late Jeyapal aged about 22 years from the illegal custody of the third respondent before this Court and set him at liberty.

For Petitioner : Mr.P.Gunasekaran

For R1 & R2 : Mr.S.Ravi

Additional Public Prosecutor

O R D E R

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

Alleging that the petitioner's son by name J.Abishek, aged about 22 years, found missing from 26.09.2021 and suspecting that the third respondent has abducted him for the purpose of getting daughter's marriage to him and illegally detained him, the petitioner has given a complaint before the second respondent police. But, so far no action has been taken to secure the detenu. Hence, the present Habeas Corpus Petition has been filed.

2.When the matter is taken up for hearing today, Mr.S.Ravi, learned Additional Public Prosecutor appearing for the State, on instructions would submit that the petitioner's son has eloped with the daughter of the third respondent and a complaint has also been given by the third respondent against the detenu in Crime No.390 of 2021 and the same is pending investigation and in order to escape



from the criminal complaint, the present Habeas Corpus Petition has been filed.

3.Considering the fact that the detenu has eloped with the daughter of the third respondent and he has not been illegally detained as alleged by the petitioner, this petition is not maintainable. Hence, the Habeas Corpus Petition is dismissed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

akv/ebsi

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,
District Police Office,
Theni, Theni District.
- 2.The Inspector of Police,
Guddalur North Police Station,
Theni District.

Copy to:

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

ORDER MADE IN
H.C.P. (MD) No.1518 of 2021
20.10.2021

RS/JGB (29.10.2021) 2P 4C