



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2022

Coram

The Honourable Mr. Justice P.N.PRAKASH
and
The Honourable Mr. Justice A.A.NAKKIRAN

H.C.P.No.452 of 2022

S.Kalaiselvi ... Petitioner/Mother of detenue
Vs.

1.The Commissioner of Police,
Salem Rural,
Nethimedu, Salem.

2.The Inspector of Police,
Attur Town Police Station,
Salem District.

3.E.Rajesh

4.Elango ... Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents to produce the petitioner's daughter viz., Mahalakshmi (aged 20 years), D/o.Senthil, before this Court and set her at liberty based on the petitioner's complaint dated 08.02.2022 made to the 2nd respondent.

For Petitioner : Mr.S.Ambigapathi

For RR 1 and 2 : Mr.R.Muniyapparaj,
Addl. Public Prosecutor

ORDER

[Made by P.N.PRAKASH, J.]

This habeas corpus petition has been filed seeking a direction to the respondents to produce the petitioner's



daughter viz., Mahalakshmi (aged 20 years), D/o.Senthil, before this Court and set her at liberty based on the petitioner's complaint dated 08.02.2022 made to the 2nd respondent.

2.It is the case of the petitioner that her daughter Mahalakshmi, aged about 20 years, went missing from 06.02.2022 and that the police are not taking effective steps to secure her.

3.Today N.Paramasivan (Mobile No.94981 68318), Special Sub-Inspector of Police, Attur Town Police Station, Salem District, is present.

4.On instructions, the learned Additional Public Prosecutor submitted that Mahalakshmi was in love with one Rajeshkumar and has eloped with him earlier, in connection with which, on a complaint given by the petitioner, a case in Attur Town Police Station Crime No.44 of 2022 was registered on 31.01.2022 for 'woman missing'; the police traced Mahalakshmi and handed her over to the petitioner on the next day i.e. on 01.02.2022; on 06.02.2022, Mahalakshmi once again eloped with Rajeshkumar and surrendered before the Inspector of Police, Gangavalli Police Station, Salem; during enquiry, Mahalakshmi stated that she does not want to see her parents and she has married Rajeshkumar on 29.01.2022.

5.Today Mahalakshmi was interviewed by us via whatsapp video call, during which, she stated that her date of birth is 21.11.2000; she has studied B.Sc. Nursing; she got married to Rajeshkumar on 29.01.2022. She clearly stated that she is not in the illegal detention of anyone.

6.In view of the above, it cannot be stated that Mahalakshmi is in the illegal custody of anyone for the issuance of a writ of habeas corpus.

In the result, this habeas corpus petition stands closed.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR



nsd
To

- 1.The Commissioner of Police,
Salem Rural,
Nethimedu, Salem.
- 2.The Inspector of Police,
Attur Town Police Station,
Salem District.
- 3.The Public Prosecutor,
High Court, Madras.

H.C.P.No.452 of 2022

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