

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2022

CORAM

THE HONOURABLE MR.JUSTICE PARESH UPADHYAY
AND
THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

H.C.P.NO.1150 OF 2022

Annalakshmi

.. Petitioner/
Mother of the Detenue

Vs

1. The Superintendent of Police,
Office of District Superintendent of Police,
Ranipet District.
2. The Deputy Superintendent of Police,
Office of District Deputy Superintendent of Police,
Ranipet District.
3. The Inspector of Police,
Arcot Town Police Station,
Ranipet District.
4. Rangan

.. Respondents

Petition filed under Article 226 of the Constitution of India to praying to issue a writ of Habeas Corpus calling for the records from the file of the 3rd respondent relating to petitioner's missing daughter A.Preethi, aged 18 years, and direct them to produce petitioner's daughter A.Preethi and hand over her to the petitioner.

For Petitioner : Mr.D.Thirumoorthy

For RR 1 to 3 : Mr.M.Babu Muthumeeran
Addl. Public Prosecutor

ORDER

(Order of the Court was made by A.D.JAGADISH CHANDIRA, J.)

This habeas corpus petition has been filed by the petitioner/mother seeking production of her missing daughter A.Preethi, aged about 18 years, who is alleged to be kept in illegal detention by Rangan, fourth respondent herein and hand over the custody to her.

2. It is the case of the petitioner that her daughter Preethi was born on 01.05.2004 and that on 28.04.2022, when the petitioner and her husband had come back home after work, they found their daughter Preethi was missing; immediately, on 29.04.2022, the petitioner lodged a complaint to the third respondent/police, based on which, a case in Arcot Town Police Station Crime No.175 of 2022 was registered under the caption "for girl missing".

3. Since the third respondent/police did not take action to trace and secure the daughter of the petitioner, the present habeas corpus petition has been filed.

4. When the matter is taken up for hearing today, the learned Additional Public Prosecutor submitted that based on the complaint given by the petitioner, a case in Arcot Town Police Station Crime No.175 of 2022 has been registered by the third respondent/police under the caption "for girl missing" and during the course of investigation, the alleged detainee Preethi appeared before the third respondent/police and submitted that she was born on 01.05.2004 and that she has attained majority on 01.05.2022. She further submitted that, she, on her own volition, has gone with Rangan/R4 and with the blessings of the parents of Rangan/R4, married him.

5. The third respondent/police has produced the alleged detainee Preethi before this Court today.

6. This Court enquired Preethi. Preethi submitted that Rangan/R4 is her neighbour and they are known to each other from their childhood and that they developed a love affair and since her parents had objected to the marriage proposal, she had eloped with him on 28.04.2022 and got married to him on 07.05.2022. She further submitted that she had attained majority and she is now happily living with the said Rangan/R4 and she was earlier called by the police for an enquiry based on the complaint given by her mother and during enquiry, her mother had refused to take her back home and she is now living with her husband. She further submitted that she has been taken good care

by her husband and his family members and on the advise of her parents-in-law, she and her husband Rangan/R4 are living in a separate house away from the village and that they will join the family at a later point of time. She further submitted that she is not in the illegal detention.

7. The learned counsel for the petitioner also fairly submitted that the petitioner was earlier called to the police station based on the complaint given by her and during enquiry, the petitioner's daughter Preethi had refused to go along with her. He further submitted that the information about the listing of the case had been given to the petitioner and she is not interested in pursuing the matter further.

8. After enquiring the alleged detenue Preethi, we are satisfied that she is not in illegal detention. Furthermore, it is reported by the learned counsel for the petitioner that the petitioner is not interested in pursuing the habeas corpus petition.

In view of above, this habeas corpus petition stands closed.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

nsd/11

To

1. The Superintendent of Police,
Office of District Superintendent of Police,
Ranipet District.
2. The Deputy Superintendent of Police,
Office of District Deputy Superintendent of Police,
Ranipet District.
3. The Inspector of Police,
Arcot Town Police Station,
Ranipet District.
4. The Public Prosecutor,
High Court, Madras.

+1cc to M/s.S.P.Arthi, Advocate, S.R.No.38525

H.C.P.No.1150 of 2022

SSD(CO)
RLP(13/07/2022)