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H.C.P.No.2185 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2023

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

H.C.P.No.2185 of 2023

D.Rani

... Petitioner

Vs.

1.The Commissioner of Police,
Commissioner Office,
Chennai.

2.The Inspector of Police,
D-2 Annasalai Police Station,
Chennai District.

... Respondents

Prayer : Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Habeas Corpus to produce the body of the detenue by name Aarthi aged about 24 years and Lakshitha aged about 4 years before this Court and set them at liberty.



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For Petitioner : Mr.K.Karuppaiyamooppanar
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor
assisted by Aravind C.

ORDER

(Order of the Court was made by **S.S. SUNDAR, J.**)

The petitioner, mother of the detainee by name Aarthi, aged about 24 years, has come forward with this petition to produce the body of the detainee and the detainee's daughter Lakshitha aged about 4 years before this Court and set them at liberty.

2.The case of the petitioner is that her daughter got married earlier with one Aravind and the couple have a daughter namely Lakshitha aged about 4 years. Later, the said Aravind died. The petitioner's daughter, along with her child, were found missing from 09.10.2023. It is her further case that though the petitioner was under the impression that her daughter was going to the petitioner's sister's house, later, she learnt that her daughter did not reach her sister's house and she was found missing along with her child. Thereafter, a complaint was lodged by the petitioner and a case was



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registered for “woman missing” and “girl missing”. Thereafter, the petitioner has approached this Court by way of this Habeas Corpus Petition.

3.After the filing of this petition, the respondents have secured both the detenues and they are produced before this Court. On enquiry, the detinue by name Aarthi states that she had developed an affair with a boy and she has now got married to him. She further states that she talked with her parents, but her mother/petitioner, relatives and the parents of the boy did not agree to their affair or marriage and therefore, they both have decided to stay away.

4.In view of the statements of the detinue, this Court finds that it is not a case of illegal detention and that the detenues are not under the influence or illegal custody of anyone. Therefore, it is not necessary to keep this petition pending any further. Hence, this Habeas Corpus Petition is closed.

(S.S.S.R., J.) (S.M., J.)
16.11.2023

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S.S. SUNDAR, J.
and
SUNDER MOHAN, J.

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Internet : Yes
Index : Yes / No
Neutral Citation : Yes / No

To

- 1.The Commissioner of Police,
Commissioner Office,
Chennai.
- 2.The Inspector of Police,
D-2 Annasalai Police Station,
Chennai District.
- 3.The Public Prosecutor,
High Court, Madras.

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