



WEB COPY



HCP(MD)No.712 of 2023

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 25.09.2023

CORAM

**THE HON'BLE MR JUSTICE M.S.RAMESH  
AND  
THE HON'BLE MR JUSTICE M.NIRMAL KUMAR**

**H.C.P.(MD)No.712 of 2023**

Nirmala Devi

.. Petitioner

Vs.

1.The Commissioner of Police,  
Trichy City, Trichy.

2.The Inspector of Police,  
KK Nagar Police Station,  
Trichy City, Trichy.

.. Respondents

**PRAYER:** Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, to direct the respondents 1 and 2 to produce the body or person of the petitioner's daughter namely Karthika D/o.Dhamodharan aged 19 years the detinue in the present case before this Court and set her at liberty.

For Petitioner : Mr.A.Joseph Jerry

For Respondents : Mr.RMS.Sethuraman  
Additional Public Prosecutor



WEB COPY



HCP(MD)No.712 of 2023

## **ORDER**

(Order of the Court was made by M.S.RAMESH, J.)

The petitioner's daughter born on 27.12.2003 and now stated to have 19 years, had gone missing from 13.05.2023 onwards, owing to which, the petitioner had given a complaint to the second respondent police on 17.05.2023. Since her daughter could not be traced within the reasonable time, the present Habeas Corpus Petition has been filed.

2.Pending the Habeas Corpus Petition, the second respondent herein had secured the petitioner's daughter and produced her before us. We had interacted with Ms.Karthika, who stated that she, on her own willingness, had left her mother's house, since she was forced by her mother to get married, for which, she has no intention. According to her, she wants to continue her college education; she is in her final year of BCA at Chennai and she wants to complete her college education. She also stated that she is employed in a private concern and is able to sustain herself with her income. She is now staying in a paying guest accommodation at Chennai. She further assured that she would reconcile with her mother after completion of



HCP(MD)No.712 of 2023

her college education and that she has no objection for her mother calls and speaks with her over phone.

3. We have taken note of the fact that the petitioner's daughter is a major, who has taken a conscious decision on her own to continue her college education. This apart she is also gainfully employed and is able to sustain herself with the income derived therefrom. Since her intention is to complete her college education and thereafter reconcile with her mother, we do not want to interfere with such a decision. By taking note of the fact that she has no objection for her mother to be in touch with her over phone, we are not inclined to pass any further orders on the prayer sought for in the present Habeas Corpus Petition. Accordingly, this petition stands closed.

(M.S.R.,J.) (M.N.K.,J.)  
25.09.2023

NCC :Yes / No  
Internet : Yes

**RR**



*HCP(MD)No.712 of 2023*

To

1.The Commissioner of Police,  
Trichy City, Trichy.

2.The Inspector of Police,  
KK Nagar Police Station,  
Trichy City, Trichy.

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



WEB COPY



*HCP(MD)No.712 of 2023*

**M.S.RAMESH, J.**  
and  
**M.NIRMAL KUMAR,J.**

**RR**

H.C.P.(MD)No.712 of 2023

25.09.2023