



HcP (MD)No.764 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.07.2023

CORAM

THE HONOURABLE MR.JUSTICE M.S. RAMESH
AND
THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

HCP(MD).No.764 of 2023

S.Suji

: Petitioner

Vs

1.The Superintendent of Police,
Kanyakumari District
at Nagercoil.

2.The Inspector of Police,
Marthandam Police Station,
Kanyakumari District

3.Vijinkumar

: Respondents

Prayer : Habeas Corpus Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Habeas Corpus to direct the 1st and 2nd respondents to produce the person or body of the detinue Sherin Teffya aged 18 years daughter of Martin Jebalal before this Court and set her at liberty.



WEB COPY



HcP (MD)No.764 of 2023

For Petitioner : Mr.S.C.Herold Singh
For Respondents : Mr.RMS.Sethuraman for R1 & R2
Additional Public Prosecutor

ORDER

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

When the petitioner's daughter, viz., Sherin Teffya, aged 18 years went missing from her house from 12.06.2023, she had given a complaint to the 2nd respondent, for which, a CSR was issued. In this background, the present Habeas Corpus Petition has been filed.

2.After notice was ordered by this Court, the 2nd respondent had produced the detinue before us. It is submitted by the learned Additional Public Prosecutor that the detinue was in the custody of the third respondent and a complaint was given by the wife of the third respondent, based on which, a case has been registered in Crime No.18/2023. The third respondent was also arrested on 07.07.2023 in connection with the said case.

3.We spoke to the detinue, who expressed that the third respondent had cheated her by not disclosing the marriage or children he had. Now that she



HcP (MD)No.764 of 2023

has realized that the third respondent had deceived her and that she does not intend to live with him and has chosen to live with her mother and pursue her studies in UG Optometry. Insofar as the complaint against the third respondent is concerned, the same is under investigation and the second respondent herein shall pursue the investigation and file a final report as expeditiously as possible. Since the detinue is a major, who opted now to stay with her mother, no further orders are required to be passed in this petition. Accordingly, this Habeas Corpus Petition is closed.

[M.S.R.,J] [M.N.K.,J]
10.07.2023

Index : Yes / No

Internet : Yes

RR

To

1.The Superintendent of Police,
Kanyakumari District
at Nagercoil.

2.The Inspector of Police,
Marthandam Police Station,
Kanyakumari District

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



WEB COPY



HcP (MD)No.764 of 2023

M.S. RAMESH, J.
AND
M.NIRMAL KUMAR, J.

RR

HCP(MD).No.764 of 2023

10.07.2023