



WEB COPY



HCP.No.1677 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

H.C.P.No.1677 of 2024

S.Akila

... Petitioner/Social Worker

Vs.

1. The Commissioner of Police,
Avadi City.
2. The Deputy Commissioner of Police,
Avadi City.
3. The Inspector of Police,
Sevvapet,
Avadi City, Chennai.
4. The District Social Welfare Officer,
Thiruvallur.

[R4 *suo motu* impeaded as per order dated
14.10.2024 in HCP.No.1677 of 2024]

... Respondents



HCP.No.1677 of 2024

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, to direct the 3rd respondent to produce the body of Ms.Ankitha aged 29 years, C/o. Akila, Social Worker at BALAVIHAR before this Court and set her at liberty.

For Petitioner : Mr.M.Maharajan
for Mr.Jeeva Kumar

For Respondents : Mr. E. Raj Thilak
Additional Public Prosecutor

ORDER

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

The writ of habeas corpus petition has been instituted to direct the third respondent to produce the detenue *viz.*, Ms.Ankitha, aged about 29 years, originally living in Balavihar, a Home.

2. The petitioner states that she is a Social Worker of Balavihar, a Home being maintained for intellectually challenged person and a unit under the guild of service.



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3. Since the habeas corpus petition was filed by the petitioner in her individual capacity, we have directed the District Social Welfare Officer and the Deputy Commissioner of Police to conduct an inspection and submit a Report. Accordingly, the Inspection Report has been filed by the Officials. They have verified the documents and its validity possessed by Balavihar. Certain suggestions are given by the Authorities, which all are to be followed by the said organisations scrupulously in accordance with law.

4. As far as the detainee, Ms.Ankitha is concerned, she is aged about 29 years and produced before this Court by the Inspector of Police along with her husband viz., Mr.Dinesh. The detainee informed the Court that she got married with said Mr.Dinesh and he also said that he knows the detainee for several years, since she was residing nearby their house. The family of Mr.Dinesh arranged marriage at Tiruttani Murugan Temple and the marriage was solemnised. We have suggested the detainee and her husband to register their marriage before the competent Authority and they said that they will take steps to register the marriage in accordance with law. The detainee is presently pregnant and being taken care by her husband and in-



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laws. She said that she was happily living with her husband at her in-laws house and she is willing to continue her matrimonial life along with her husband at her in-laws house.

5. When the detainee has voluntarily deposed before this Court that she is willing to live in her matrimonial house along with her husband/Mr.Dinesh, we are of the opinion that the detainee is not under illegal detention.

Accordingly, the Habeas Corpus Petition stands **disposed of**.

[S.M.S., J.] [V.S.G., J.]
24.10.2024

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
veda



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Thiruvallur.
5. The Public Prosecutor,
Madras High Court,
Chennai - 104.



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