



H.C.P.(MD) No.136 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR

H.C.P.(MD) No.136 of 2024

R. Selvi

... Petitioner

-VS-

1.The Superintendent of Police,
Madurai District

2.The Inspector of Police,
Kottampatti Police Station
Madurai District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 and 2 to produce the body or person of the detenue by name Periyaavatchi @ Priya, D/o.Ramesh, aged 18 years before this Court.

For Petitioner : Mr.S. Aysha Begum
For Respondents : Mr.RMS.Sethuraman
Additional Public Prosecutor
Mr.D.Thiruppathi
Counsel for Detenue



H.C.P.(MD) No.136 of 2024

WEB COPY

ORDER

**A.D.JAGADISH CHANDIRA, J.
and
K.RAJASEKAR**

This Habeas Corpus Petition has been filed to direct the respondents 1 and 2 to produce the body or person of the detainee by name Periyaavatchi @ Priya, D/o.Ramesh, aged 18 years before this Court.

2. It is the contention of the petitioner that her daughter Periyaavatchi @ Priya aged about 18 years was found missing from 22.01.2024 and since she was unable to trace her, she had preferred complaint to the second respondent on 23.01.2024 to take appropriate action. Based on the complaint given a case has been registered in Crime No.22 of 2024 under woman missing. Since the second respondent has not taken any action the petitioner has filed the present petition.

3. Pursuant to the issuance of notice the second respondent produced the alleged detainee before this Court.

4. The learned Additional Public Prosecutor would submit that the alleged detainee was produced before the second respondent by



H.C.P.(MD) No.136 of 2024

WEB C

D.Thirupathy. This Court enquired the alleged detainee and she further submitted that she was aged about 18years and her parents have compelled her to marry against her wish, hence she on her own volition had gone out of the house along with her friend Surya, S/o. Murugan aged about 19 years and she expressed her willingness to go along with the said Surya.

5. The family members of Surya namely his aunt Malliga and her son were also present before this Court. The mother of the alleged detainee was also present before this Court.

6. The mother of the alleged detainee submit that she is ready to take her daughter, however she is not ready to accept her daughter's relationship with the said Surya.

7. The relative of the said Surya namely Malliga submitted that she is the paternal aunt of Surya and that she is ready to take care of the alleged detainee if both of them are ready to stay with them. The alleged detainee expressed her willingness to go along with Surya and his relatives.



H.C.P.(MD) No.136 of 2024

WEB COPY

8. In view of the same this Court finds that the alleged detainee is not in any illegal detention, hence this Habeas Corpus Petition is closed.

[A.D.J.C., J.] [K.R.S., J.]

05.04.2024

NCC : Yes / No
Index : Yes / No
Internet: Yes / No
aav

To:

- 1.The Superintendent of Police,
Madurai District
- 2.The Inspector of Police,
Kottampatti Police Station
Madurai District
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



H.C.P.(MD) No.136 of 2024

A.D.JAGADISH CHANDIRA, J.
AND
K.RAJASEKAR, J.

aav

H.C.P.(MD) No.136 of 2024

05.04.2024