



H.C.P.(MD).No.511 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 23.04.2024

CORAM

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

H.C.P.(MD).No.511 of 2024

Nirmala Remy

.. Petitioner / Friend of the Detenue

Vs.

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

2.The Inspector of Police,
Thirunagar Police Station,
Madurai.

3.The Director,
Patrick Isaac Home of Hope
for Women and Children,
Sringeri, SSK Nagar,
Madakulam,
Madurai – 625 016.

.. 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 viz., petitioner's friend, Soundarya Devi (31) D/o.Meenakshi Sundaram, now in the illegal custody of the Respondent No.3, before this Court and set her at liberty.



WEB COPY



H.C.P.(MD).No.511 of 2024

For Petitioner : Mr.I.Robert Chandra Kumar
For R-1 & R-2 : Mr.RMS.Sethuraman
Additional Public Prosecutor

ORDER

(Order of the Court was made by A.D.JAGADISH CHANDIRA,J.)

The Habeas Corpus Petition is filed by the petitioner seeking production of her friend, namely, Soundarya Devi, aged about 31 years, before this Court and set her at liberty.

2. The case of the petitioner is that she is working as an Assistant Lecturer in a private college in Madurai and her husband runs essential goods delivery service. It is her further case that on 04.04.2024, her husband, Ranjith, had accompanied her friend, Soundarya Devi to Chennai to renew her D.Pharm certificate. While so, the second respondent had called the alleged detainee over phone and informed her that her father had lodged a complaint that there was illicit relationship between the alleged detainee and the petitioner's husband. Thereafter, an enquiry was conducted and the second respondent, without allowing the alleged detainee to go



H.C.P.(MD).No.511 of 2024

along with them, had sent her to the third respondent Home against her will.

Contending that the alleged detainee was kept in the third respondent Home against her will, the present Habeas Corpus Petition has been filed.

3. When the matter is taken up today, the alleged detainee was produced before this Court. We enquired the alleged detainee. She stated that she is aged about 31 years and due to misunderstanding with her father, she has been living with the petitioner and her family. She further submitted that since her family members had refused to take her in their fold, she had with the help of the second respondent Police stayed in the third respondent Home and that she is not in illegal custody of anybody. She also expressed her willingness to go along with the petitioner.

4. Recording the above statement, the Habeas Corpus Petition stands closed. It is made clear that the alleged detainee being 31 years old is free to choose the place of her stay.

(A.D.J.C.,J.) (K.R.S.,J.)
23.04.2024

NCC : Yes / No
Index : Yes / No
Lm



H.C.P.(MD).No.511 of 2024

To

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

2. The Inspector of Police,
Thirunagar Police Station,
Madurai.

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



WEB COPY



H.C.P.(MD).No.511 of 2024

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

Lm

H.C.P.(MD).No.511 of 2024

23.04.2024