

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31-3-2010

CORAM

THE HONOURABLE MR.JUSTICE M.CHOCKALINGAM
AND
THE HONOURABLE MR.JUSTICE C.S.KARNAN

H.C.P.No.495 of 2010

Luda Agnes

.. Petitioner

vs

1.The Inspector of Police
D2 Annasalai Police Station
Annasalai, Chennai 2.

2.D.Saran

.. Respondents

Habeas corpus petition filed under Article 226 of the Constitution of India praying for a writ of habeas corpus directing the first respondent to produce the body or person of the detenu viz., Amanda Melody, aged about 18 years, D/o Dhanasekaran, residing at No.32/20, ROB 5th Street, Chennai 14 before this Court.

For Petitioner : Mr.C.V.Kumar

For Respondent : Mr.V.R.Balasubramanian
Additional Public
Prosecutor for R1

ORDER

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

Invoking the writ jurisdiction of this Court, one Luda Agnes has brought forth this petition for a writ of habeas corpus for the production of her daughter Amanda Melody.

2.The affidavit in support of the petition is perused. The Court heard the learned Counsel for the petitioner and also the learned Additional Public Prosecutor.

3.The gist of the case of the petitioner is that her daughter Amanda Melody doing B.A. Literature, who went to the college on 3.3.2010, did not return; that a search was made; that she also came to know that she fell in love with the second respondent; that she was under the impression that she had been taken away by him; that under the circumstances, she gave a complaint to the first respondent police, but no action has been

taken, and under the circumstances, this petition is brought forth.

4. On the last hearing, a request was made by the learned Additional Public Prosecutor for the State for securing and producing her before the Court. When the matter is taken up for enquiry this day, she is produced. She is also enquired. According to her, she was born on 7.12.1991, and now she has married the second respondent at Royapuram on 29.3.2010, and it has also been registered before the Registrar of Marriages, and a certificate is also produced, and now she wants to live with her husband and not to go with the mother the petitioner herein.

5. The statement of the girl is recorded. It is not in controversy that she was born on 7.12.1991, and thus she is a major. Under the circumstances, she has got to be set at liberty. That apart, it is brought to the notice of the Court that the marriage between herself and the second respondent has taken place on 29.3.2010, and the same has also been registered by the Registrar of Marriages, Madras. Accordingly, she is set at liberty and this petition is disposed of.

Sd/-
Asst.Registrar.

/true copy/

Sub Asst.Registrar.

To:

1. The Inspector of Police
D2 Annasalai Police Station
Annasalai, Chennai 2.

2. The Public Prosecutor
High Court, Madras.

HCP No.495 of 2010

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