



H.C.P(MD)Nos.1296 & 1304 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 30.10.2023

Coram

THE HON'BLE MR.JUSTICE **M.SUNDAR**
and
THE HON'BLE MR. JUSTICE **R.SAKTHIVEL**

H.C.P(MD)Nos.1296 & 1304 of 2023

H.C.P(MD)No.1296 of 2023:

Maimoon Sariba

.. Petitioner

VS

1.The Superintendent of Police,
Pudukkottai District,
Pudukkottai.

2.The Inspector of Police,
Gandaravakkottai Police Station,
Pudukkottai District.

.. Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Habeas Corpus directing the respondents to produce the body or person of detenu namely XXX aged about 17 years, daughter of Maimoon Sariba before this Court and hand over the custody to the petitioner.

For Petitioner : Mr.V.Kumar

For Respondents : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor



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H.C.P(MD)No.1304 of 2023:

WEB CAM Anish Fathima

.. Petitioner

VS

1.The Superintendent of Police,
Pudukkottai District,
Pudukkottai.

2.The Inspector of Police,
Gandaravakkottai Police Station,
Pudukkottai District.

.. Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Habeas Corpus directing the respondents to produce the body or person of detenu namely YYY aged about 18 years, daughter of Anish Fathima before this Court and set her at liberty.

For Petitioner : Mr.V.Kumar

For Respondents : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

COMMON ORDER

[Order of the Court was made by M.SUNDAR, J.]

This common order will now dispose of captioned two 'Habeas Corpus Petitions' (hereinafter 'HCPs' for the sake of convenience and clarity). Captioned HCPs have been filed in this Court on 25.10.2023.



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2. In this common order, 'H.C.P(MD)No.1296 of 2023' shall be referred to as 'I HCP', 'H.C.P(MD)No.1304 of 2023' shall be referred to as 'II HCP' for the sake of convenience and clarity.

3. Short facts are that I HCP petitioner is concerned for her minor daughter 'XXX', aged 17 years [we are masking the name and we shall be referring to her as 'first absentee'] and II HCP petitioner is concerned for her daughter 'YYY', aged 18 years [we are masking the name and we shall be referring to her as 'second absentee']; that first absentee was born in April 2006 and second absentee was born in June 2005 and both are studying together in one College in Trichy; that first absentee and second absentee left on 02.10.2023, but neither went to College nor came back to home; that fearing illegal detention captioned HCPs have been filed; that on 26.10.2023, Hon'ble Vacation Bench ordered notice.



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4.To be noted captioned matter was mentioned at half past ten saying that the absentees have been located and therefore the matter was taken up by way of an additional list.

5.Today, Mr.V.Kumar, learned counsel for petitioners in both the captioned HCPs, petitioners in both the captioned HCPs and Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor (instructed by Thiru.M.Muthukumar, Special Sub Inspector of Police and Ms.M.Chitra, Gandaravakkottai Police Station) are before us.

6.This Bench had interaction with the absentees.

7.The absentees submitted that they went away to their friend's place in Chennai as their respective parents i.e., HCP petitioners admonished them regarding their academic performance. However, now both the absentees submit that they will go with their respective parents and continue their education.



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8.In the light of the narrative thus far, we drop the curtains

on the captioned two HCPs and dispose of both the captioned HCPs as closed.

(M.S.,J.) (R.S.V.,J.)
30.10.2023

Index : Yes/No

Neutral Citation : Yes/No
ps

To

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



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M.SUNDAR, J.,
and
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ps

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