

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2015

CORAM:

THE HON'BLE MR. JUSTICE R.SUDHAKAR
AND
THE HON'BLE MR. JUSTICE P.N. PRAKASH

H.C.P. No.2041 of 2014

C.Padmavathy

... Petitioner

Vs.

- 1.The Inspector of Police
D2 Chengalpattu Taluk Police Station
Kancheepuram District
(Cr.No.441 of 2014)
- 2.The Deputy Superintendent of Police
Kancheepuram District at
Kancheepuram.
- 3.Manjunathan
- 4.Mani @ Subramani
- 5.Saraswathy
- 6.Rajendran
- 7.R.Neela
- 8.Meena

... Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents herein to produce the body and person of the detenu by name Sakila, daughter of the petitioner herein, aged about 20 years who has been illegally detained under the custody of the respondents 3 to 8 herein before this Court, and set her at liberty.

For petitioner : Mr.T.Vijayaraghavan

For RR1 and 2 : Mr.A.N.Thambidurai
Additional Public Prosecutor

ORDER

(Order of the Court was made by P.N.PRAKASH, J.)

This petition has been filed seeking a direction to the respondents herein to produce the body and person of the detainee by name Sakila, daughter of the petitioner herein, aged about 20 years who has been illegally detained under the custody of the respondents 3 to 8 herein before this Court, and set her at liberty.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

3. It is the case of the petitioner that her daughter Shakila, who was married to Manjunathan/third respondent, went missing on 01.07.2014, in connection with which a case in Changelpet Taluk Police Station Cr.No.441 of 2014 for "Woman Missing" has been registered on 03.07.2014 and the investigation is in progress. The respondent police have filed two Status Reports detailing the steps taken by them for securing the missing person, wherein it is stated as follows:

"4. I submit that I deputed two special teams to the following places which are mentioned below:

Hosur, Krishnagiri, Bangalore, Vellore,
Arakkonam, Gummidipoondi, Tiruvallur,
Kancheepuram, Tiruvannamalai etc.

In those places, the special team had also distributed the pamphlets and also pasted the pamphlets in public gathering places and other prominent places and enquired Orphanages, Homes, at the above mentioned places about the present whereabouts of the missing women-Shakila by showing her photo. But, no clue was obtained.

5. I submit that myself along with special team visited to railway stations, Bus stands, Markets, Theatre complex, Mental Hospitals, at Kanchipuram, Hosur, Krishnagiri, Vellore etc.. and enquired the whereabouts of the detenue by showing her photo of the detenue-Shakila. But, no fruitful clue was obtained.

6. I submit that the investigation so far reveals that the detenue-Shakila was mentally retarded lady who received Govt. subsidy of Rs.1000/- from the year 2012; found missing from Bus stand at Hosur. Inspite of best efforts taken by the respondent police, the present whereabouts of the detenue-Shakila was not known.

As soon as the detenue is traced, the detenue will be produced before the Honourable High Court, Madras."

In view of the above, we are of the opinion that there is no illegal detention of the said Shakila, warranting issuance of Writ of Habeas Corpus Petition.

Accordingly, this petition is closed with a direction to the respondent police to proceed with the investigation in Cr.No. 441 of 2014 and keep the petitioner informed of the developments, if any.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

gms

To

- 1.The Inspector of Police
D2 Chengalpattu Taluk Police Station
Kancheepuram District
(Cr.No.441 of 2014)

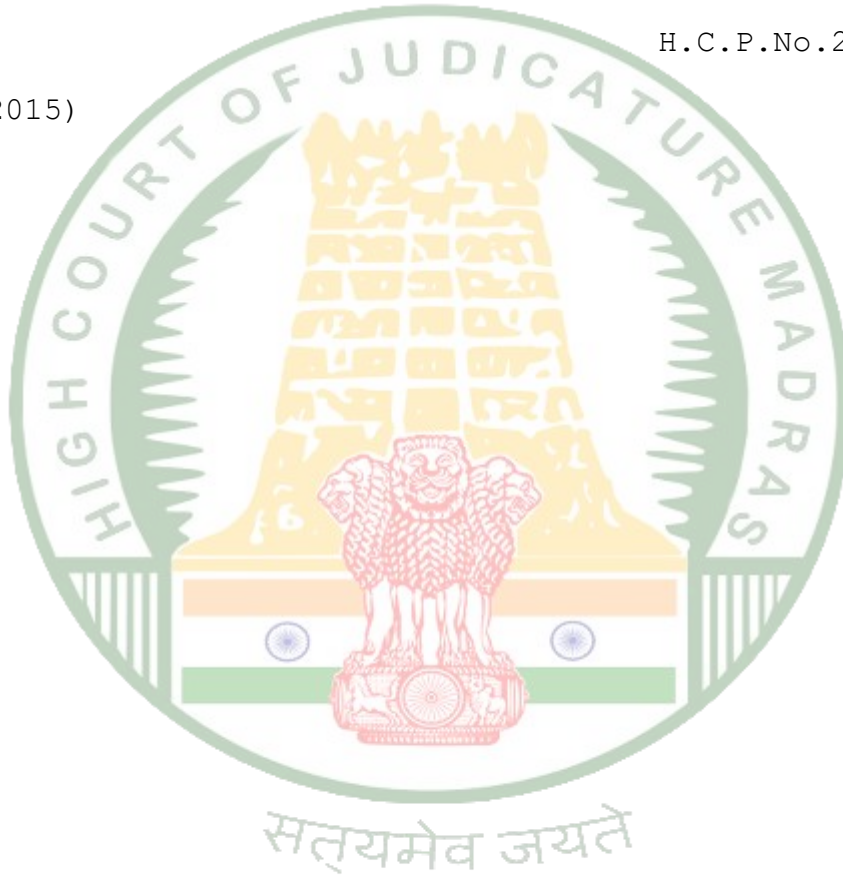
2.The Deputy Superintendent of Police
Kancheepuram District at
Kancheepuram.

3.The Public Prosecutor
High Court of Madras
Chennai.

+ 1 cc to Mr.T.Vijayaraghavan, Advocate Sr 65033 (11/1/16)

SAI (CO)
CA(10/12/2015)

H.C.P.No.2041 of 2014



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