



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :18.10.2016

CORAM

WEB COPY

**THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN**

H.C.P(MD)No. 1212 of 2016

R.Umarani

.. Petitioner

vs.

1 THE SUPERINDENT OF POLICE,
THANJAVUR DISTRICT.

2 THE INSPECTOR OF POLICE,
KUMBAKONAM WEST POLICE STATION,
THANJAVUR DISTRICT.
(CRIME NO.374/2016)

3 DEEPAN RAJ
S/O. KALIAMOORTHY NO.40 PALANIYAANDAVAR
SEKKADI STREET KUMBAKONAM TALUK THANJAVUR
DISTRICT

4 VASUKI
W/O. DEIVENDRAN,
MELATHERU,
SRINIVASANALLUR,
THIRUNAGESWARAM,
KUMBAKONAM TALUK,
THANJAVUR DISTRICT.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Habeas Corpus directing the 1st and 2nd respondents to produce the body of the petitioner's minor daughter / detenu namely RAMYA @ SUBASRI D/o. Ramdoss aged about 17 years before this Court and handover the custody of the detenu to the petitioner.

For Petitioner : Mr.J.Vijayaraja

For Respondents : Mr.A.Ramar for R1 & R2

Additional Public Prosecutor

ORDER

(Order of the Court was made by S.NAGAMUTHU, J.)



27.08.2016 onwards. In this regard, on a complaint made, a case has been registered in Crime No.374/2016 for 'girl missing' on the file of the 2nd respondent. Since the girl was not secured, the petitioner has come up with this petition.

2. Today, when the matter was taken up, the Deputy Superintendent of Police, Kumbakonam, appeared. The Inspector of Police/2nd respondent produced the detainee before this Court.

3. The petitioner and her husband also made appearance. When we enquired the detainee, she told us that she had gone out of her parental home and stayed at the house of her friend. The Inspector of Police also says so. However, it is seen that in the complaint itself, the petitioner has stated that the detainee would have been kidnapped by the 3rd respondent. Investigation has revealed that Deepanraj, namely, the 3rd respondent is still found missing. Therefore, the matter, in our considered view, requires to be investigated. However, since the minor girl wants to go with the parents, we close this Habeas Corpus Petition entrusting her custody to the petitioner and her husband.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

- 1 THE SUPERINTENDENT OF POLICE,
THANJAVUR DISTRICT.
- 2 THE INSPECTOR OF POLICE,
KUMBAKONAM WEST POLICE STATION,
THANJAVUR DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+ 1 CC TO Mr.J.VIJAYARAJA, ADVOCATE IN SR No. 61358

RR
TE/CK : 08/11/2016 : 2P/5C

HCP. (MD) No.1212 of 2016
18.10.2016