



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

AND

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

H.C.P.[MD].No.1388 of 2016

V.Shanmugavel

: Petitioner

Vs.

State rep. by

1.The Sub Inspector of Police,
Sathankulam Police Station,
Sathankulam,
Thoothukudi District.
(Crime No.295/2016).

2.Chernapandi

: Respondents

PRAYER: Habeas Corpus Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the first respondent herein to produce the body or person of the petitioner's daughter namely Subhalakshmi, D/o.Shanmugavel, aged 19 years from the illegal custody of the second respondent herein before this Court and set her at liberty.

For Petitioner : Mr.M.Suresh

For Respondent No.1 : Mr.A.Ramar,

Additional Public Prosecutor

O R D E R

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

One Mr.V.Shanmugavel, the petitioner herein has filed this Habeas Corpus Petition alleging that his daughter, namely Subhalakshmi, aged about 19 years, was found missing from 05.10.2016. Hence, he has preferred a complaint to the respondent police. Since the whereabouts of the detainee is not known, the petitioner has filed the present Habeas Corpus Petition.

2. On mentioning by the learned Additional Public Prosecutor, this case was taken up for hearing today at 04.00 p.m. The detainee was produced by the first respondent. On our enquiry, she told us that she was interviewed by the second respondent herein, whose name was wrongly stated as 'Chernapandi' instead of 'Chermadurai'. On our



further enquiry, she told that she is willing to go only with the second respondent. The learned Additional Public Prosecutor also states that information was given to the petitioner, but, he refused to come to this Court.

3. Therefore, recording the submission made by the detinue, we close the Habeas Corpus Petition by giving liberty to the detinue to go along with the second respondent-Chermadurai.

Sd/-
Assistant Registrar(Writs)

/True Copy/

Sub-Assistant Registrar

To

1.The Sub Inspector of Police,
Sathankulam Police Station,
Sathankulam,
Thoothukudi District.

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

SML
RL/3C/2P/KM/28/11/2016

Order made in
H.C.P.[MD].No.1388 of 2016

Dated:
14.11.2016