



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

AND

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

H.C.P.[MD].No.1508 of 2016

T.Kalimuthu : Petitioner

Vs.

1.The Superintendent of Police,
District Police Office,
Ramanathapuram District.

2.The Inspector of Police,
Uchipuli Police Station,
Ramanathapuram District.

3.Jothimurugan

4.Kalanjiarraaj : Respondents

PRAYER: Habeas Corpus Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus directing the respondents 1 and 2 to produce the body or person of the petitioner's daughter, namely, Priya daughter of T.Kalimuthu, aged about 18 years, before this Court from the illegal custody of the third and fourth respondent and set her at liberty.

For Petitioner : Mr.R.Jegadeeswaran

For Respondent Nos.1&2 : Mr.A.Ramar
Additional Public Prosecutor

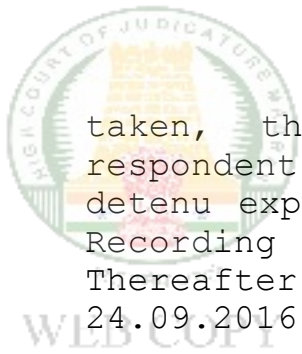
For Respondent Nos.3&4 : Mr.B.Brijesh Kishore

O R D E R

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

One Mr.T.Kalimuthu has come up with this Habeas Corpus Petition alleging that her daughter, by name, Priya, aged about 18 years, was found missing from 24.09.2016.

2. On an earlier occasion, the daughter of the petitioner was found missing from 08.05.2016. In this regard, the petitioner made a complaint to the police, upon which a case in Crime No.77 of 2016 was registered by the second respondent police. Since no action was



taken, the petitioner filed H.C.P.(MD).No.605 of 2016. The respondent police produced the detenu before this Court and the detenu expressed her willingness to go along with the petitioner. Recording the same, the Habeas Corpus Petition was closed. Thereafter, for the second time, the detenu was found missing from 24.09.2016 onwards.

3. Today, when the Habeas Corpus Petition was taken up for hearing, the detenu was produced by the second respondent police. We enquired the detenu. On our enquiry, she stated that she stayed with her friend's house. She further stated that she is not willing to go with the petitioner. We also enquired the petitioner as well as his wife. They stated that if the detenu is willing to come along with them, they are ready to take her back.

4. Recording the above said submission made by the parties, we close the Habeas Corpus Petition, permitting the detenu to take her own decision.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub-Assistant Registrar

To

1.The Superintendent of Police,
District Police Office,
Ramanathapuram District.

2.The Inspector of Police,
Uchipuli Police Station,
Ramanathapuram District.

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

NB

RL/4C/2P/SKS/RR/15.12.2016

ORDER MADE IN
H.C.P.[MD].No.1508 of 2016

25.11.2016