



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.10.2017

CORAM:

WEB COPY

**THE HONOURABLE MR. JUSTICE R. SUBBIAH**  
**AND**  
**THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA**

H.C.P. (MD) No.1185 of 2017

K.Murugan : Petitioner

Vs.

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

2.The Inspector of Police,  
Ilayankudi Police Station,  
Ilayankudi,  
Sivagangai District.

3.Seenivasan : Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, to direct the respondents 1 and 2 to produce the body or person of the petitioner's daughter, the detenu, viz., Manosankari, D/o.Murugan, aged about 18 years before this Court, illegally detained by the third respondent and set her at liberty forthwith.

For Petitioner : Mr.D.Rameshkumar  
For R1 and R2 : Mr.A.Ramar  
Additional Public Prosecutor

O R D E R

[Order of the Court was made by R.SUBBIAH, J]

The present Habeas Corpus Petition has been filed by the wife of the detenu, seeking a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the body or person of the petitioner's daughter, the detenu, viz., Manosankari, D/o.Murugan, aged about 18 years before this Court, illegally detained by the third respondent and set her at liberty forthwith.



2. Heard Mr.D.Rameshkumar, learned counsel for the petitioner and Mr.A.Ramar, learned Additional Public Prosecutor for the respondents 1 and 2.

3. In the affidavit filed in support of this Petition, it has been averred that the petitioner is the father of the detenu - namely Manosankari, aged about 17 years. On 27.07.2017, the detenu was found missing. The petitioner searched for the detenu in several places but he could not find her and subsequently, he came to know that the third respondent kidnapped the detenu. In this connection, the petitioner made a complaint before the second respondent police. On receipt of the said complaint, the second respondent police registered a case in Crime No.232 of 2017 for "Girl Missing". Since there were no effective steps taken by the second respondent, the petitioner has come up with the present Habeas Corpus Petition.

4. On 21.08.2017, when the Habeas Corpus Petition was taken up for consideration, the detenu had apprehension for joining the petitioner, this Court directed the second respondent to keep the detenu in Sakthi Vidiyal Home, until further orders.

5. Today, when the Habeas Corpus Petition was taken up for consideration, the second respondent police produced the detenu. When we enquired the detenu, she has stated that she is willing to go along with the petitioner and the petitioner also stated that he will take care of the detenu.

6. In view of the above, since the detenu is willing to go along with the petitioner, in our considered view, nothing survives for adjudication in this Habeas Corpus Petition. Hence, the Habeas Corpus Petition is closed. However, the second respondent is directed to proceed against the third respondent in accordance with law.

Sd/-

Assistant Registrar(CSI)

/True Copy/

Sub-Assistant Registrar

To

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

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<https://hcservices.courtsofmadras.org/13/11/2017>

Order made in

H.C.P. (MD) No.1185 of 2017

Dated: 26.10.2017