



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBBIAH**

AND

THE HONOURABLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

H.C.P. [MD].No.1581 of 2017

Kavitha : Petitioner

Vs.

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

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

3. Tamilarasan : Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the first and second respondents to produce the person or body of the detenu namely Navina aged 17 years daughter of Sekar before this Court and handover her custody to the petitioner.

For Petitioner : Mr.M.Boopathi Pandiyan

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

For Respondent No.3 : No appearance

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 mother of the detenu, seeking a Writ of Habeas Corpus, directing the first and second respondents to produce the person or body of the detenu namely Navina aged 17 years, daughter of Sekar before this Court and handover her custody to the petitioner.

2.The petitioner is the mother of the detenu. Her daughter is studying 12th Standard at Government Higher Secondary School, Ramanathapuram. On 20.09.2017, at about 09:00 hrs, the petitioner's daughter left the house and thereafter, she has not



returned. The petitioner searched for her daughter in several places, but, she could not find her. Hence, she lodged a complaint before the second respondent on 23.09.2017 and the same was registered in Crime No.590 of 2017. But, no action has been taken by the respondent police to find out the petitioner's daughter. Hence, the petitioner left with no other option, has approached this Court with this Habeas Corpus Petition.

3.Today, when the Habeas Corpus Petition was taken up for consideration, the detenu was produced before this Court. On enquiry, she submitted that she went to Tirupur on her own volition and was working there. But, on enquiry, the mother of the detenu stated that her daughter, who left the home came home back to take some articles along with the third respondent. Thereafter, it was informed to the respondent police and the respondent police produced the detenu before this Court. However, today, the detenu expressed her willingness to go along with the petitioner.

4.In view of the above, nothing survives for adjudication in the Habeas Corpus Petition. However, the respondents are directed to alter the First Information Report and proceed with the case. Accordingly, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

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

+1cc to Mr.M.Boopathi Pandiyan, Advocate Sr.No.85848

MR

VB/KK/SAR1/28/11/2017/2P/5C