



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

AND

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

H.C.P. [MD] .No.1706 of 2017

Nagarathinam : Petitioner

Vs.

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

2. The Inspector of Police,
Solavanthan Police Station,
Madurai District.

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents to produce the body or person of the petitioner's daughter/detenu namely Santhi @ Reena, D/o M.Ramanathan, 36 years old woman before this Court and set her at liberty.

For Petitioner : Mr.I.Kannan

For Respondents : Mr.C.Ramesh
Additional Public Prosecutor

O R D E R

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

This Habeas Corpus Petition is filed by the petitioner seeking a direction to the respondents to produce the body or person of the petitioner's daughter/detenu, namely Santhi @ Reena, D/o M.Ramanathan, 36 years old woman, before this Court and set her at liberty.

2. The petitioner is the mother of the detenu viz., Santhi @ Reena, aged about 36 years old. The petitioner is residing along with her daughter viz., Santhi @ Reena. The detenu had three children viz., John Astrin, Santhos and Stella. The detenu divorced her husband. While so, the detenu's husband's friend viz., one Ramasamy developed illegal intimacy and he was regularly giving sexual torture. In this regard, the petitioner's mother gave a complaint to the respondent police. But no action was taken in the said complaint. At this juncture, the petitioner's daughter/detenu went missing on 13.11.2017. Hence, once again the



petitioner lodged a complaint on 18.11.2017. Since, no action has been taken up, the petitioner is before this Court with the above petition.

3. Today, when the matter was taken up for consideration, the detenu was present before us. When we enquired the detenu, initially she reluctantly refused to go with the petitioner and subsequently agreed to go with the petitioner.

4. In view of the statement given by the detenu, we are of the view that nothing survives for adjudication in this Petition. Hence, this Habeas Corpus Petition is closed.

5. The detenu's mother submitted that though she lodged a complaint against one Ramasamy, no action was taken. She has also stated that she is having the proof for the torture said to have been given by the said Ramasamy to the detenu.

6. If that being so, the respondent police are directed to take action on the complaint given by the petitioner and proceed with the same in accordance with law.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

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

+1cc to Mr.I.Kannan, Advocate Sr.No.89912

SSL

VB/SKN-RSK/SAR3/12/12/2017/2P/5C

**ORDER MADE IN
H.C.P. [MD] .No.1706 of 2017
27.11.2017**