



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2017

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CORAM:

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MR.JUSTICE P.VELMURUGAN**

H.C.P. (MD) .No.219 of 2017

Balakrishnan

: Petitioner

Vs.

1. The Superintendent of Police,
Pudukottai & District.

2. The Inspector of Police,
K.Pudhupatti,
Thirumayam (TK),
Pudukottai District.

3. Saravanan

4. Kailasam

5. Gohulam

: Respondents

PRAYER: Habeas Corpus Petition is filed under Article 226 of the Constitution of India directing the respondents 1 and 2 to produce the petitioner's daughter namely Amudha, age 25 years, D/o.Balakrishnan, Duraiyoor Village, Keelanilai Post, Thirumayam Taluk, Pudukottai District before this Court and set her at liberty.

For Petitioner : Mr.A.Anandan

For Respondents : Mr.T.Mohan for R1 and R2
Additional Public Prosecutor
Mr.K.N.Govardhanan for R4 & R5

O R D E R

[Order of the Court was made by T.S.SIVAGNANAM,J]



petitioner's case is that the respondents 3 to 5 have kidnapped his daughter.

2. The second respondent police had initially conducted investigation and filed a status report on 12.04.2017 and requested some more time. Therefore, this Court adjourned the matter to 20.04.2017. Today, the investigation officer who is present in Court has filed a status report, from which it is seen that extensive search has been conducted in various States Harayana, New Delhi etc.,

3. It appears that the detainee has eloped with the third respondent. The counsel appearing for the fourth and fifth respondents, who are the parents of the third respondent, submitted that the third respondent is a married person and has mentally challenged child and they are ready and willing to give any information as sought for by the respondent police and they disowned the third respondent as he has brought disgrace of the family because of the elopement.

4. The learned counsel for the petitioner in the course of arguments admitted that one of the family members of the petitioner accompanied the police team, when they went to Harayana and they also admitted that one day before the police team arrived in Harayana, the detainee and the third respondent have escaped from the place.

5. Thus, it is not a case of illegal detention. Nevertheless, the respondent police shall not close the case and if any worthwhile information is available, they should undertake further exercise to trace the detainee and produce her before the jurisdictional Magistrate with due intimation to the petitioner.

6. With the above direction, the habeas corpus petition is closed.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Pudukottai & District.



2. The Inspector of Police,
K.Pudhupatti,
Thirumayam (TK),
Pudukottai District.

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

+ 1 CC TO Mr.K.N.GOVARDHANAN, ADVOCATE IN SR No. 52954
+ 1 CC TO Mr.A.ANANDAN, ADVOCATE IN SR No. 53353

JIKR

TE/MR : 02/05/2017 : 3P/6C

ORDER MADE IN
H.C.P. (MD) .No.219 of 2017
20.04.2017