



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.01.2018

CORAM:

WEB COPY

THE HONOURABLE DR. JUSTICE S.VIMALA
AND
THE HONOURABLE MRS. JUSTICE T.KRISHNAVALLI

HCP [MD].No.102 of 2018

K.Vellaiyammal : Petitioner
Vs.

1.The State Rep. by its
The Inspector of Police,
Malli Police Station,
Virudhunagar District.

2.Pandi @ Pandiyaraja : Respondents

PRAYER: Habeas Corpus Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Habeas Corpus, directing the first respondent to produce the detenu or her corpus namely Ponpriya, D/o.Karuppasamy, aged about 19 years, before this Court and set her at liberty forthwith.

For Petitioner : Mr.M.Jegadeesh Pandian
For R1 : Mr.C.Ramesh
Additional Public Prosecutor

ORDER

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

The petitioner, who is the mother of the detenu, has moved this petition for a direction to the first respondent to produce her daughter, namely, Ponpriya, aged about 19 years, before this Court and set her at liberty.

2.According to the petitioner, her elder daughter, namely Ponpriya, who is studying second year B.Sc., was found missing from 10.07.2017. Thereafter, a complaint has been lodged before the 1st respondent and a case has been registered in Crime No.492/2017 for 'girl missing'. Since the whereabouts of the detenu is not known, the petitioner is before this Court with this petition.

3.The Additional Public Prosecutor appearing for the State would submit that already the detenu has moved this Court in CrI. O.P.(MD) No.10315 of 2017, dated 16.08.2017 seeking a direction for 'police protection'.



4. Under such circumstances, the apprehension of the petitioner that she may be under the illegal custody is not sustainable. Therefore, Habeas Corpus Petition is closed with liberty to the petitioner to work out her remedy in the petition filed by the daughter.

/True Copy/

Sd/-
Assistant Registrar (P&A)

Sub-Assistant Registrar

To

1. The Inspector of Police,
Malli Police Station,
Virudhunagar District.

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

Rmi/RR

RL/3C/2P/KKR/SAR3/8/2/2018

ORDER MADE IN

HCP .[MD].No.102 of 2018

25.01.2018