



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated:20.03.2018

Coram :-

WEB COPY

THE HON'BLE DR.JUSTICE S.VIMALA
and
THE HON'BLE MRS.JUSTICE T.KRISHNAVALLI

Habeas Corpus Petition No.290 of 2018

Sudha @ Kondammal ... Petitioner
-vs-

1.The Superintendent of Police
O/o. Superintendent of Police,
Thoothukudi District

2.The Inspector of Police
Pasuvanthanai Police Station,
Thoothukudi District

3.Arun Rajesh ... Respondents

Prayer: Writ petition under Article 226 of the Constitution of India is filed praying for issuance of a writ of Habeas Corpus, to direct the respondents to produce the body and person of the petitioner's daughter Chandra @ Santhi, D/o.Late.Kumaraguru, aged about 18 years, before this Court and set her at liberty.

For petitioner : Mr.R.Venkatesan for
M/s.K.Mahalakshmi

For respondents : Mr.K.Dinesh Babu for R1 & R2
Addl. Public Prosecutor

O R D E R

(Order of the Court was made by S.Vimala,J.,)

This petition has been filed by the petitioner for a direction to the respondents 1 and 2 to secure her daughter/detenu, namely, Chandra @ Santhi, D/o.Kumaraguru, aged about 18 years.

2.In the affidavit filed in support of this petition, it is alleged that the petitioner's daughter/detenu is studying 2nd year B.A.(English), at Tirunelveli District and she was found missing from 27.02.2018. The suspicion is that the third respondent might have enticed her daughter and a complaint has been lodged. Since no effective steps were taken on the said complaint, the petitioner is before this Court with this petition.



3. The learned Additional Public Prosecutor would submit that in respect of the missing of the very same detenu, namely, Chandra @ Santhi, earlier complaint has been lodged before Radhapuram Police Station and a case has been registered. Even in the earlier complaint, it is stated that the victim girl is aged 19 years. The allegation in the earlier complaint was that she was found missing from 20.01.2018 and subsequently, the victim girl was traced out and she was produced before the Judicial Magistrate, Valliyoor and the mother/petitioner herein appeared before the Magistrate and has taken custody of her daughter saying that she would ensure safe custody. Under the circumstances, the learned Additional Public Prosecutor would submit that if repeatedly the girl is going to be missing, the police will not be able to do any other job except to run after this kind of running away couples.

4. Recording the statement made, this Habeas Corpus Petition is closed. However, if the victim girl is traced out, the same may be communicated to the petitioner herein and it is open to the petitioner to work out further remedy in accordance with law.

Sd/
Assistant Registrar (AE)

/True copy/

Sub Assistant Registrar

To

1.The Superintendent of Police
O/o. Superintendent of Police,
Thoothukudi District

2.The Inspector of Police
Pasuvanthanai Police Station,
Thoothukudi District

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

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RR
KK/SKN RSK/23.04.2018/SAR-3/2P-4C