



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.01.2018

CORAM:

THE HONOURABLE DR. JUSTICE S.VIMALA

AND

THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

HCP [MD].No.1801 of 2017

Mokkamayan

: Petitioner

Vs.

1. The Superintendent of Police,
O/o. Superintendent of Police,
Madurai District.
2. The Inspector of Police,
Town Police Station, Thirumangalam,
Madurai District.

3.Sathish

4.Karthi

5.Santhiya

: 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 respondents 1 and 2 to produce the body or person of the detenu by name, Shanthi, daughter of the petitioner, now aged about 28 years, who has been illegally detained by the respondents 3 to 5, before this Court and set her at liberty.

For Petitioner : Ms.A.Rajini

For R1 and R2 : Mr.C.Ramesh

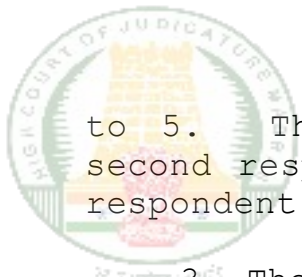
Additional Public Prosecutor

ORDER

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

The petitioner, who is the father of the detenu, namely, Shanthi, aged about 28 years, has moved this petition for a direction to the Respondent Nos.1 to 2 to produce his daughter before this Court and set her at liberty.

2.According to the petitioner, on 18.11.2017, the detenu went to Thirumangalam Taluk Police Station to get her Community Certificate and thereafter she did not return home. It is stated that she is kept under the illegal custody of the respondent Nos.3



to 5. Therefore, the petitioner preferred a complaint to the second respondent on 18.11.2017 and it is alleged that the second respondent did not take any steps.

3. The learned Additional Public Prosecutor appearing for the State would submit that the second respondent has received a letter by Speed Post signed by one Shanthi/detenu herein and a perusal of the contents of the letter would go to show that she has married one Sathish/third respondent herein and it is only the parents, who are trying to separate them and therefore, she needs protection from the hands of the police.

4. The learned counsel appearing for the petitioner would submit that the contents of the letter need thorough investigation.

5. Considering the submissions as well as the contents of the letter received and the statement recorded during investigation that it is not a case of abduction and it must be a case, where the detenu must be living with the third respondent.

6. Under such circumstances, if further investigation discloses any new facts or if the detenu is traced out, the respondent police shall intimate the same to the petitioner. With this direction, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
O/o. Superintendent of Police,
Madurai District.
2. The Inspector of Police,
Town Police Station, Thirumangalam, Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Rmi/RR

AE/SKN RSK/SAR2/08.02.2018/3P/4C