



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.01.2018

CORAM:

THE HONOURABLE DR. JUSTICE S.VIMALA

AND

THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

HCP [MD].No.1823 of 2017

Mariammal

: Petitioner

Vs.

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

2. The Inspector of Police,
Natchiyarkoil Police Station
Thanjavur District

3. Prabhakaran

: Respondents

PRAYER: Habeas Corpus Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Habeas Corpus to direct the 1st and 2nd respondents police to secure the detenu and produce the body or person of the detenu, viz., Vinitha, D/o. (Late) Vincent, aged 20 years, illegally detained by the 3rd respondent before this Court and set her at liberty.

For Petitioner : Mr.S.Rajaprabu

For Respondents : Mr.C.Ramesh

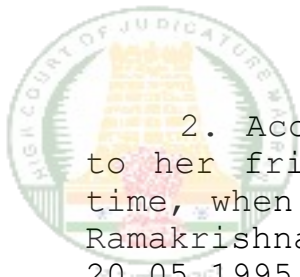
Additional Public Prosecutor

ORDER

[Order of the Court was made by

S.VIMALA, J]

The petitioner, who is the mother of the detenu, namely, Vinitha, aged 20 years, has moved this petition for a direction to the Respondent Nos.1 and 2 to produce her daughter before this Court and set her at liberty.



2. According to the petitioner, her daughter Vinitha, who went to her friend's house on 24.11.2017 has not returned home. At the time, when the detenu was allegedly missing, she has been working at Ramakrishna Middle School, Nachiyarkoil and her date of birth is 20.05.1995 and she is a major. The petitioner preferred a complaint to the respondent police on 27.11.2017 and a case has been registered in Crime No.366/2017 for 'woman missing' and since the whereabouts of her daughter was not known, the petitioner is before this Court.

3. The learned Additional Public Prosecutor represented the State has submitted that the FIR was forwarded to the Judicial Magistrate, No.II, Kanyakumari District. Thereafter, investigation has commenced. It is further stated that in respect of the missing of the detenu, a report has been sent to the District Crime Records, Thanjavur in Form NO.II and Newspaper advertisement has also been given and wide publicity has been given in TV channels. Subsequent enquiry has revealed that the detenu and the third respondent Prabhakaran were found in Karaikal, Mayiladuthurai, Sirgali. A report has also been filed to the Inspector of Police, in that regard. The said report reveals that the missing woman must be in the custody of third respondent Prabhakaran and their whereabouts alone to be investigated and other things are made clear.

4. Under such circumstances, this Habeas Corpus Petition is closed with a direction to the respondents 1 and 2 to intimate the petitioner, as and when, the whereabouts of the detenu is known.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

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

MV:SV-MMS:SAR1:25/01/2018/2P/4C

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ORDER MADE IN

HCP . [MD] .No.1823 of 2017

09.01.2018