

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 25.02.2019
CORAM:
THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
and
THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR
H.C.P.No.238/2019

Shagila

..

Petitioner

vs.

1.The Superintendent of Police
[North Zone], Puducherry
Puducherry State.

2.The Sub Inspector of Police
Mettupalayam Police Station
Puducherry.

3.T.K.Rajendiran

..

Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus to produce the body of the petitioner's daughter Sumathi @ Megala, aged about 25 years from the illegal custody of the 3rd respondent and set her at liberty forthwith.

For Petitioner .. Mr.K.Sivakumar
For RR 1 & 2 .. Mr.A.Balamurugane
APP [Puducherry]

ORDER

(Order of the Court was made by M.SATHYANARAYANAN, J)

The petitioner is the mother of the detenu Sumathi @ Megala, who is aged about 25 years and alleging illegal custody and detention of her daughter at the hands of the 3rd respondent, came forward to file the present Habeas Corpus Petition.

2 It is the case of the petitioner that her daughter was employed in Le-Chateau Hotel in Roland Street, Puducherry, from the year 2017 onwards and she went to attend the said job on 04.12.2018 ; but she did not return. In this regard, the grandmother of the detenu, has also lodged a complaint on the file of the 2nd respondent police and apprehending that one Mr.T.K.Rajendiran, the 3rd respondent herein, who is also employed in the very same Hotel, enticed and took her away and keeping her in illegal detention and custody against her free

will, the petitioner came forward to file the present petition.

3 When the matter is listed today, the detenie Sumathi @ Megala, is produced before this Court by the 2nd respondent and on enquiry, she would state that she was taken by the 3rd respondent to Shirdi at Maharashtra State and both of them got married and when this

Court has put a specific question as to the proof of the said marriage, she is unable to produce any material. The detenie would further state that she is now willing to go along with her mother, the petitioner herein, who is employed in Singapore and now she came back to India.

4 The mother of the detenie is also present before us and she would state that the 3rd respondent is always in the habit of enticing and marrying women and later on, leave them in lurch and admittedly, the first marriage of the 3rd respondent and his wife, is yet to be dissolved and her daughter had fallen to the words of deceit and she is willing to take her daughter back.

5 In the light of the fact that the detenie is willing to with her parent, viz., her mother Mrs.L.Shagila, No.D-3, Nesavalur Kudiuruppu, Shanmugapuram, Puducherry-9 [Mobile No.70947 43540], no further orders are necessary in this petition and it is closed.

6 However, the 2nd respondent police is directed to take cognizance of the complaint given by the grandmother of the detenie, viz., Tmt.Valli and register a FIR, and proceed further with the investigation in a fair and impartial manner and file a Status Report as to the progress being made in the investigation.

7 Call on 18.03.2019 for filing the Status Report by the 2nd respondent police.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

AP

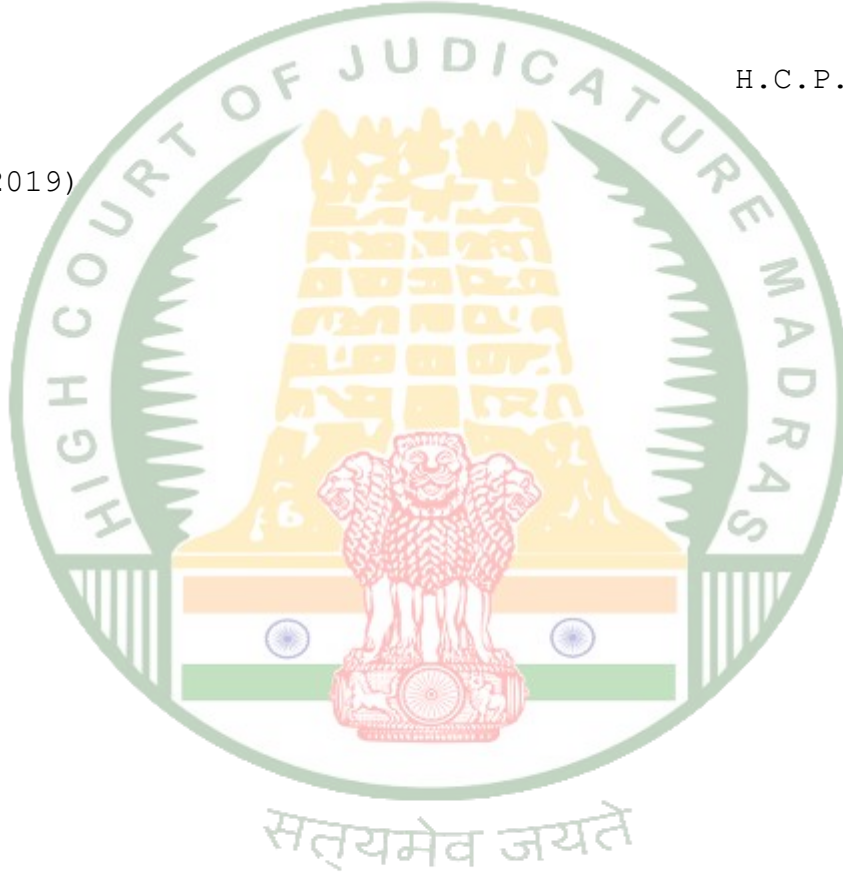
NOTE:- Registry is to send back the bundle to the Posting section [Criminal] to list the matter on 18.03.2019, after despatching the certified copy of the above final order to the parties concerned subject to payment of necessary charges.

To

- 1.The Superintendent of Police
[North Zone], Puducherry
Puducherry State.
- 2.The Sub Inspector of Police
Mettupalayam Police Station
Puducherry.
- 3.The Public Prosecutor,
Puducherry.

H.C.P.No.238/2019

RSI (CO)
GN(15/03/2019)



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