

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.09.2019

CORAM

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH
AND
THE HONOURABLE MR. JUSTICE R. PONGIAPPAN

H.C.P. No. 1532 of 2019

S. Amudha

..Petitioner

Vs.

1. The Inspector of Police,
Kalambur Police Station,
Kalambur,
Thiruvannamalai District.

2. Annamalai ..Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Habeas Corpus to direct the respondents herein to produce the body of the petitioner's daughter Sivakami, aged 16 years (DO:23.06.2003) before this Hon'ble Court and handover to the petitioner.

For Petitioner :: Mr.P. Mani

For Respondents:: Mr.R. Prathap Kumar,
Addl. Public Prosecutor

O R D E R

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

The petitioner is the mother of the detenie, who is admittedly a minor. As the detenie was found to be missing and presumably with the 2nd respondent, a complaint was given, which was registered in Crime No. 91 of 2019. Since the said complaint was registered as early as on 09.02.2019 and the detenie is yet to be secured, the present Habeas Corpus Petition has been filed.

2. The learned Additional Public Prosecutor for the State would submit that it is a case of elopement for the second time with the 2nd respondent. On the earlier occasion, a case had been registered. However, pending the same, the detenie has eloped with the 2nd respondent. Now, both the detenie and the 2nd

respondent are untraceable. However, efforts are on to trace and secure them.

3. Considering the above, we are not inclined to keep the Habeas Corpus Petition pending any longer, particularly, in view of the fact that it is a case of second time elopement. The detainee is admittedly a minor. A case has also been registered and pending against the 2nd respondent. Therefore, we direct the Investigating Officer to proceed with the investigation and make all endeavour to secure the detainee. As and when the detainee is secured, she shall be produced before the learned Magistrate concerned.

4. The Habeas Corpus Petition is disposed of accordingly.

Sd/-
Assistant Registrar (CS-VIII)

//True copy//

Sub Assistant Registrar

nv

To

1. The Inspector of Police,
Kalambur Police Station,
Kalambur,
Thiruvannamalai District.
2. The Public Prosecutor,
High Court, Madras.

H.C.P. No. 1532 of 2019

AD (CO)
GMY (14/10/2019)

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