

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 03.07.2019

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN**AND****THE HONOURABLE MR.JUSTICE B.PUGALENDHI****H.C.P (MD) No.426 of 2019**

Nagajothi

... Petitioner

Vs.

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

2.The Sub-Inspector of Police,
Srivilliputhur Town Police Station,
Srivilliputhur,
Virudhunagar District.

3.S.Muthu Arivanandapandian ... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents herein to produce the body or person of the detenu by name S.Devi Priya, D/o Sivakumar, aged about 18 years, who has been illegally detained by the third respondent and produce her before this Court and set her at liberty.

For Petitioner : Mr.L.Prabhu

For Respondents : Mr.K.Dinesh Babu

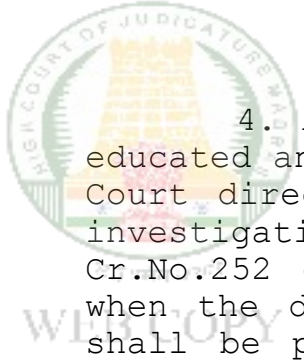
Additional Public Prosecutor
for R.1 and R.2

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

The petitioner is the mother of the detenu viz., S.Devi Priya, aged about 18 years and alleging her illegal custody and detention at the hands of the third respondent, who is aged about 19 years, came forward to file the present Habeas Corpus Petition. A complaint given by the petitioner in this regard is also resulted in registration of a case in Cr.No.252 of 2019 for "Woman missing", on the file of the second respondent.

2. A perusal of the materials placed before this Court would disclose that the detenu is aged about 18 years and studied B.Sc., (Information Technology) in Kalasalingam College and it *prima facie* appears that on her own volition, she eloped with the third respondent.

3. The learned Additional Public Prosecutor, on instructions, would submit that the investigation is also proceeding on the right lines and vital clues have also been obtained and prays for some accommodation.



4. Admittedly, the detenu is a major and also appears to be educated and in the light of the above facts and circumstances, this Court directs the second respondent to conduct fair and impartial investigation with regard to the registration of the case in Cr.No.252 of 2019 and also expedite the investigation and as and when the detenu as well as the third respondent are traced, they shall be produced before the Court of Judicial Magistrate No.II, Srivilliputhur, for passing appropriate orders as to their custody.

5. The second respondent is also directed to periodically inform the petitioner, as to the progress being made in the investigation. The Deputy Superintendent of Police, Srivilliputhur, is also directed to monitor the investigation and give necessary in-puts/instructions, as to the investigation being done by the second respondent.

6. The Habeas Corpus Petition stands disposed of accordingly.

Sd/-

Assistant Registrar (AD II)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.
2. The Deputy Superintendent of Police,
Srivilliputhur,
Virudhunagar District.
- 3.The Sub-Inspector of Police,
Srivilliputhur Town Police Station,
Srivilliputhur,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.L.PRABHU, Advocate, SR.No.73024

H.C.P(MD)No.426 of 2019

SSL

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