



BEFORE THE MADURAI BENCH OF THE MADRAS HIGH COURT

DATE : 21.06.2019

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P. (MD) NO.541 OF 2019

Kasiayya

.. Petitioner

- Vs -

1. The Superintendent of Police
Pudukottai District, Pudukottai.

2. The Inspector of Police
Aathanakottai Police Station
Pudukottai District.

3. Karthi

.. Respondents

Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of habeas corpus directing respondents 1 and 2 to produce the petitioner's daughter Shanthi, D/o Kasiayya, aged about 25 years, now illegally detained by the 3rd respondent before this Hon'ble Court and set her at liberty.

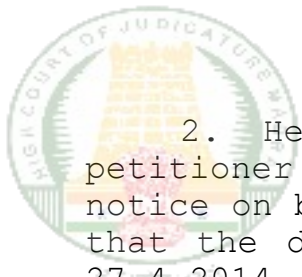
For Petitioner : Mr. D.Ramesh Kumar

For Respondents : Mr. K.Dinesh Babu, APP

ORDER

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

The petitioner is the father of the detinue, viz., Shanthi, aged about 25 years and she is missing from 11.5.2019 and suspecting the role played by the 3rd respondent, the petitioner lodged a complaint on the file of the 2nd respondent based on which a case in Crime No.45/2019 was registered by the 2nd respondent for 'Woman Missing'. The petitioner, alleging inaction on the part of the 2nd respondent and also concerned about the safety of his daughter, has come forward to file the present petition.



2. Heard the submissions of the learned counsel for the petitioner and the learned Addl. Public Prosecutor, who accepts notice on behalf of respondents 1 and 2 and, on instructions, submit that the detainee got married to the 3rd respondent as early as on 27.4.2014 and the marriage was also registered vide Certificate of Registration of Marriage bearing Serial No.714 of 2014 dated 9.5.14 registered at the Office of the Sub Registrar, Tiruchirappalli. A photocopy of the said marriage registration is also produced, which is taken on file and record.

3. In the light of the above, it cannot be stated that the detainee is in illegal custody/detention of the 3rd respondent. However, the 2nd respondent shall proceed with the investigation and as and when the detainee is traced, she shall be produced before the Court of Judicial Magistrate, Pudukottai, for passing appropriate orders as to her custody.

6. This habeas corpus petition is disposed of accordingly.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

GLN

To

1. The Superintendent of Police
Pudukottai District, Pudukottai.
2. The Inspector of Police
Aathanakottai Police Station
Pudukottai District.
3. The Addl. Public Prosecutor
Madurai Bench of Madras High Court
Madurai.

+ 1 CC TO Mr.D.Rameshkumar, ADVOCATE IN SR No.70400

H.C.P. (MD) NO.541 OF 2019

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