



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

and

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P(MD)No.563 of 2019

K.Perumal

... Petitioner

Vs.

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

2.The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.

3.Masilamani

... Respondents

Prayer: Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the body of the Petitioner's daughter namely Muthu Lakshmi, D/o.K.Perumal, aged about 30 years, before this Hon'ble Court and set her at liberty.

For Petitioner : Mr.J.Parekhkumar

For Respondents 1 & 2 : Mr.K.Dinesh Babu
Additional Public Prosecutor

O R D E R

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

The petitioner is the father of the detinue viz., Muthu Lakshmi, aged about 30 years and she is an unmarried and according to the petitioner she is under the illegal custody and detention of the 3rd respondent, who is none other than his brother-in-law, and since he is very much concerned with the wellbeing and whereabouts of her daughter, came forward to file this Habeas Corpus Petition.

2.Heard Mr.J.Parekhkumar, learned counsel appearing for the petitioner. Mr.K.Dinesh Babu, learned Additional Public Prosecutor accepts notice on behalf of the respondents 1 and 2 and on instructions would submit that based on the complaint of the petitioner, the second respondent police registered a case in Crime No.222 of 2019 (Women Missing) and the preliminary enquiry revealed that the daughter of the petitioner had eloped with the third respondent aged about 60 years, who is also a Siddha practitioner and fair and proper investigation is going on in the case registered by the second respondent police.



3. In the light of the above said facts, this Court is of the prima-facie view that the daughter of the petitioner viz., Muthu Lakshmi, aged about 30 years is not under the illegal custody and detention of the third respondent. However, taking into account the anxiety exhibited by the petitioner, being the father of the detainee, this Court directs the second respondent to conduct fair and impartial investigation in respect of the case registered by him and as and when the detainee is traced, she shall be produced before the Court of Judicial Magistrate, Cheranmahadevi for passing appropriate orders as to the custody of the detainee and before doing so, the petitioner shall be put on notice.

4. The Habeas Corpus Petition is disposed of with the above directions.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Judicial Magistrate,
Cheranmahadevi,
Tirunelveli District.
2. The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
3. The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.J.PAREKH KUMAR, Advocate (SR-72241[F] dated 28/06/2019)

H.C.P(MD)No.563 of 2019

sj

KK/SAR/10.07.2019/2P-6C