



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Wednesday, the Third day of July Two Thousand and Nineteen

The Hon`ble Mr.Justice **M.SATHYANARAYANAN**

AND

The Hon`ble Mr.Justice **B.PUGALENDHI**

HCP (MD) . No.265 of 2019

KALIDOSS

... Petitioner

Vs

1 THE SUPERINTENDENT OF POLICE,
SIVAGANGAI, SIVAGANGAI DISTRICT.

2 THE INSPECTOR OF POLICE,
SIVAGANGAI TOWN POLICE STATION,
SIVAGANGAI DISTRICT.

3 MUTHU SELVAM

4 DEVA

... Respondents

Prayer :-

Habeas Corpus Petition filed under Article 226 of Constitution of India, to direct the respondents to produce the body of Minor.Kavitha (age 15 years) D/o.Kalidoss before this Honourable Court and to handover the custody to the petitioner.

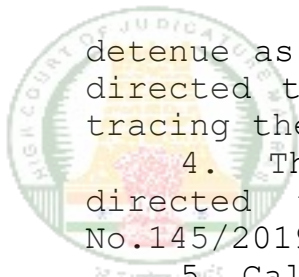
ORDER:- Habeas Corpus Petition is coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/s RM.ARUN SWAMINATHAN, Advocate for the Petitioner and of M/s. M.CHANDRASEKARAN, Additional Public Prosecutor for first and 2nd Respondents and this Court made the following order:

(ORDER OF THE COURT WAS MADE BY M.SATHYANARAYANAN, J.)

This habeas corpus petition pertains to the missing of the minor daughter of the petitioner, viz., Kavitha, aged about 15 years (DOB - 31.10.2003) and a case has also been registered in Crime No.145/2019 under Section 366-A IPC.

2. Learned counsel appearing for the petitioner submits that the 2nd respondent is colluding with respondents 3 and 4 and is not conducting proper investigation despite the fact the minor girl, aged about 15 years is missing.

3. The Court has perused the status report of the 2nd respondent dated June, 2019 and it prima facie appears that efforts have been taken to trace the detainee. It also appears to be a case of elopement and taking into consideration the overall facts and circumstances, this Court directs the 2nd respondent to conduct fair and impartial investigation and take every effort to trace the



detenue as well as the 3rd respondent. The 2nd respondent is further directed to file further status report as to the steps taken for tracing the detenue and the 3rd respondent.

4. The Superintendent of Police, Sivaganga District, is directed to monitor the investigation of the case in Crime No.145/2019 being investigated by the 2nd respondent.

5. Call on 7th Aug., 2019.

WEB COPY

Sd/-

Assistant Registrar (CS II)

// True Copy //

Sub Assistant Registrar (CS)

TO

1. THE SUPERINTENDENT OF POLICE,
SIVAGANGAI, SIVAGANGAI DISTRICT.
2. THE INSPECTOR OF POLICE,
SIVAGANGAI TOWN POLICE STATION ,
SIVAGANGAI DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER DATED : 03/07/2019
HEARING DATE : 07/08/2019

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ORDER

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HCP (MD) . No.265 of 2019

Giving direction and etc.
as stated within.

KK/SAR/15.07.2019/2P-4C