



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

and

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P. (MD) No.1562 of 2018

Kubendran

... Petitioner

-vs-

1. The Superintendent of Police
Madurai District
2. The Inspector of Police
Usilampatti Town Police Station
Madurai District
3. The Inspector of Police
All Women Police Station
Thirumangalam
Madurai District
4. Veerapandi
5. Ganesan
6. Palaniammal
7. Mahalingam
8. Pappu

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 to 3 to produce the body or person of the detinue, the petitioner's daughter namely Sivaranjini D/o.kubendran aged about 27 years from illegal custody of the respondents No.4 to 8 before this Court and set her at liberty.

For Petitioner : Mr.P.Senguttuvarasan
For Respondents : Mr.K.Dinesh Babu
Additional Public Prosecutor
for R1 to R3

O R D E R

[Order of the Court was made by P.N.PRAKASH, J.]

Today, Mr.K.Madasamy, Inspector of Police, Usilampatti Circle Police Station, Madurai District, is present.

2. It is the case of the petitioner his daughter - Sivaranjini, aged about 27 years, is in the illegal custody of the respondents 4 to 8 and therefore, the present habeas corpus petition has been filed.



3. The respondent - Police have filed two status reports, dated 16.11.2018 and 03.01.2019, wherein it is stated that on the complaint given by the petitioner, a case in Usilampatti Town Police Station Crime No.644 of 2018 has been registered against the respondents 4 to 8, for the offences punishable under Sections 147 and 366 I.P.C. and investigation is in progress. It is the further case of the Police that the petitioner's daughter Sivaranjini was in love with Veerapandi / fourth respondent herein and since they belong to two different communities, they are in hiding as they fear reprisal by the petitioner and the family members.

4. Under such circumstances, we do not find that the detainee is in the illegal detention of anyone for the issuance of a writ of habeas corpus and hence, the habeas corpus petition is closed. However, we direct the Deputy Superintendent of Police, Usilampatti Sub-Division, Madurai District, to monitor the investigation in Crime No.644 of 2018 that is being conducted by the Inspector of Police, Usilampatti Town Police Station and keep the petitioner informed of the developments, if any, from time to time.

sd/
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Madurai District.
2. The Inspector of Police,
Usilampatti Town Police Station,
Madurai District.
3. The Inspector of Police,
All Women Police Station,
Thirumangalam,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
5. The Deputy Superintendent of Police,
Usilampatti Sub-Division, Madurai District.

+1 CC to Mr.P.SENGUTTUARASAN, Advocate (SR-48447 dated 20/02/2019)

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