



BEFORE THE MADURAI BENCH OF THE MADRAS HIGH COURT

WEB COPY

DATE : 09.07.2019

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
AND
THE HONOURABLE MR. JUSTICE B.PUGALENDHI

H.C.P. (MD) NO. 608 OF 2019

G.Murugeshwari

.. Petitioner

- Vs -

1. The Superintendent of Police
Madurai District, Madurai.

2. The Inspector of Police
Vadipatti Police Station
Vadipatti Taluk, Madurai Dt.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of habeas corpus directing respondents 1 & 2 to produce the person or body of the petitioner's daughter/detenuue, viz., G.Megala, aged 23 years, D/o Ganesan, before this Hon'ble Court and set her at liberty.

For Petitioner : Mr. M.Ganeshkamu

For Respondents : Mr. K.Dinesh Babu, APP

ORDER

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

The petitioner is the mother of the detenuue, viz., Megala, aged about 23 years and alleging that the detenuue is missing from 17.6.19, lodged a complaint on the file of the 2nd respondent on the basis of which a case in crime No.244/2019 came to be registered on 24.6.2019 for 'Woman Missing'. The petitioner, being very much concerned about the safety, well being and whereabouts of her daughter, has come forward to file the present petition.

2. Heard the submissions of the learned counsel appearing for the petitioner and Mr.Dinesh Babu, learned Addl. Public Prosecutor, who accepts notice on behalf of the 2nd respondent.



3. The petitioner, neither in the complaint nor in the affidavit filed in support of the writ petition has specifically alleged illegal detention/custody of the detinue at the hands of any third party and in the absence of the same, this habeas corpus petition is not maintainable. However, this Court, taking into consideration the anxiety exhibited by the petitioner, who is the mother of the detinue, directs the 2nd respondent to conduct fair and speedy investigation of the case in Crime No.244/2019 and as and when the detinue is traced, she shall be produced before the Court of Judicial Magistrate, Vadipatti, for passing appropriate orders as to her custody. The 2nd respondent shall keep the petitioner informed periodically of the progress in the investigation. The Deputy Superintendent of Police, Samayanallur, is directed to monitor the progress of the investigation conducted by the 2nd respondent and give necessary inputs to the 2nd respondent.

4. This petition is disposed of accordingly.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Judicial Magistrate,
Vadipatti, Madurai.

2. The Superintendent of Police
Madurai District, Madurai.

3. The Inspector of Police
Vadipatti Police Station
Vadipatti Taluk, Madurai Dt.

4. The Deputy Superintendent of Police
Samayanallur, Madurai District.

5. The Addl. Public Prosecutor
Madurai Bench of Madras High Court
Madurai.

+1 CC to M/s.M.GANESH KAMU, Advocate (SR-74209[F] dated 09/07/2019)

gln

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