

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 25.07.2019

CORAM

WEB COPY

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

**H.C.P(MD)No.685 of 2019**

Violet

... Petitioner

Vs.

1. The Superintendent of Police,  
Virudhunagar District.

2. The Inspector of Police,  
Vembakottai Police Station,  
Virudhunagar District.

3.Balaguru

4.Kaliraj

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents police to produce the person or body of the petitioner's daughter, namely Angel, D/o Violet, aged about 18 years, before this Court and set her at liberty.

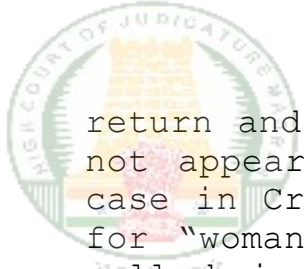
For Petitioner : Mr.T.A.Ebenezer

For Respondents : Mr.K.Dinesh Babu  
Additional Public Prosecutor  
for R.1 and R.2

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

The petitioner is the mother of the detenu, viz., Angel, aged about 18 years (date of birth is 16.03.2000) and alleging her illegal custody and detention under the hands of the fourth respondent, she came forward to file this Habeas Corpus Petition.

2. The learned Counsel appearing for the petitioner would submit that the detenu was studying Diploma in nursing and she went out in the morning hours on 11.04.2019, but she did not



return and despite efforts have been made to trace her, she could not appear and therefore, lodged a complaint, based on which, a case in Cr.No.276 of 2019 was registered by the second respondent for "woman missing" and apprehending the safety, whereabouts and well being of her daughter, the petitioner is constrained to approach this Court by filing this Habeas Corpus Petition.

3. Per contra, Mr.K.Dinesh Babu, learned Additional Public Prosecutor, appearing for the State, on instructions, would submit that the wife of the fourth respondent viz., one Mareeswari has also lodged a complaint for missing of her husband, on the file of the second respondent and a case in Cr.No.158 of 2019 was also registered by the second respondent on 12.04.2019, for "man missing" and in respect of the complaint given by the petitioner, the very same police has registered a crime No.276 of 2019 for "woman missing" and the investigation is under progress in respect of both complaints.

4. This Court heard the rival submissions and perused the materials placed before this Court.

5. Admittedly, the detenu is a major and she is also undergoing Diploma in nursing and it *prima facie* appears that she eloped with the fourth respondent, who is also a married man. However, taking into consideration the anxiety exhibited by the petitioner, being the mother of the detenu, this Court directs the second respondent to conduct a fair and proper investigation in respect of cases in Cr.No.158 of 2019 and Cr.No.276 of 2019 and expedite the same and as and when the detenu is traced in Cr.No.276 of 2019, after informing the petitioner, shall produce her before the Court of Judicial Magistrate No.II, Sattur, for passing appropriate orders as to her custody.

6. The second respondent shall periodically inform the petitioner as to the progress being made in the investigation of the case in Cr.No.276 of 2019 and the Deputy Superintendent of Police, Sattur, is also directed to monitor the investigation and give necessary inputs to the second respondent for conducting proper investigation.

7. The Habeas Corpus Petition is disposed of, accordingly.

Sd/-

Assistant Registrar (AE)

// True Copy //



To

1. The Superintendent of Police,  
Virudhunagar District.

2. The Deputy Superintendent of Police,  
Sattur.

3. The Inspector of Police,  
Vembakottai Police Station,  
Virudhunagar District.

4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1 CC to M/s.T.A.EBENEZER, Advocate ( SR-77442[F] dated  
25/07/2019)

**H.C.P(MD)No.685 of 2019**  
**25.07.2019**

**ssl**

AE/(05.08.2019) 3P 6C