



BEFORE THE MADURAI BENCH OF THE MADRAS HIGH COURT

DATE : 05.08.2019

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

H.C.P. (MD) NO. 729 OF 2019

WEB COPY

R.Manimaran

.. Petitioner

- Vs -

1. The Superintendent of Police  
Theni District, Theni.

2. The Inspector of Police  
Chinnamanoor Police Station,  
Chinnamanoor Post, Theni District.

3. M.Kannan

4. M.Alaguraja

5.Tmt. Shanthi

.. Respondents

Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of habeas corpus directing the respondents to produce the body or person of the detinue, viz., M.Sindhu, D/o.Manimaran, aged about 22 years, before this Hon'ble Court and set her at liberty.

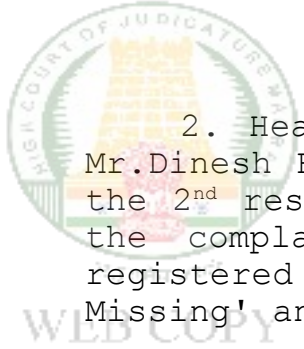
For Petitioner : Mr. M.Saravanakumar

For Respondents : Mr. K.Dinesh Babu, APP for RR-1 & 2

### ORDER

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

The petitioner is the father of the major detinue, viz., Sindhu, aged about 22 years and according to the petitioner, the 3<sup>rd</sup> respondent is none other than his eldest son-in-law, married to his eldest daughter, viz., Vinodha and on account of some matrimonial discord, his eldest daughter is living with him. The petitioner, alleging that his daughter has been forcefully taken away by her son-in-law, viz., the 3<sup>rd</sup> respondent and abetted by his brother and sister, viz., respondents 4 and 5, lodged a complaint on the file of the 2<sup>nd</sup> respondent and in the light of the non-responsive attitude exhibited by the said official respondents, came forward to file the present petition.



2. Heard the learned counsel appearing for the petitioner and Mr.Dinesh Babu, learned Addl. Public Prosecutor, accepts notice for the 2<sup>nd</sup> respondent and on instructions, submit that on the basis of the complaint given by the petitioner, the 2<sup>nd</sup> respondent has registered a case in Crime No.416/2019 on 1.8.2019 for 'Woman Missing' and investigation is on.

3. This Court has carefully considered the rival submissions and also perused the materials available on record.

4. The detainee appears to be educationally qualified and also aged about 22 years and since the 2<sup>nd</sup> respondent has also registered a case, this Court directs the 2<sup>nd</sup> respondent to conduct proper and fair investigation and during the course of investigation, if the detainee and the 3<sup>rd</sup> respondent are traced, after informing the petitioner in advance, shall produce the detainee as well the 3<sup>rd</sup> respondent before the Court of Judicial Magistrate, Uthamapalayam, for passing appropriate orders as to the custody of the detainee.

5. This habeas corpus petition is disposed of accordingly.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Superintendent of Police  
Theni District, Theni.
2. The Inspector of Police  
Chinnamanoor Police Station,  
Chinnamanoor Post, Theni District.
3. The Addl. Public Prosecutor  
Madurai Bench of Madras High Court  
Madurai.

**H.C.P. (MD) NO. 729 OF 2019**  
**05.08.2019**

CS(21.08.2019) 2P 4C