



BEFORE THE MADURAI BENCH OF THE MADRAS HIGH COURT

DATE : 20.08.2019

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

H.C.P. (MD) NO. 796 OF 2019

WEB COPY

Nagamani

.. Petitioner

- Vs -

1. The Superintendent of Police
Karur District, Karur.

2. The Inspector of Police
Pasupathipalayam Police Station
Pasupathipalayam, Karur District.

3.Vadivel

.. Respondents

Petition filed for the issuance of a writ of habeas corpus directing the respondents 1 and 2 to produce the body of the petitioner's daughter, viz., G.Rudraprabha, aged 22 years, D/o.Govindraaj, now detained by the 3rd respondent before this Hon'ble Court and set her at liberty.

For Petitioner : Mr. S.Gokul Raj

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 mother of the detainee, viz., Rudraprabha, aged about 22 years and alleging that she is in illegal custody/detention at the hands of the 3rd respondent, who is a married man, came forward to file the present petition.

2. Learned counsel appearing for the petitioner submits that the 3rd respondent is employed as driver in a college bus and he is a married man and he used to entice girls and women and his antecedents are very bad and the petitioner, being the mother is very much concerned about the safety and well being of her daughter is, therefore, constrained to approach this Court for production and entrustment of the custody of the detainee with her.

3. Per contra, Mr.Dinesh Babu, learned Addl. Public Prosecutor, appearing for respondents 1 and 2 submitted that based on the



complaint given by the petitioner, a case in Crime No.165/19 was registered for 'Woman Missing' and investigation is on.

4. A perusal and consideration of the materials placed before this Court reveal that the detinue is a B.E. Graduate and it prima facie appears that she left her parental home on her own volition. However, this Court, taking into consideration the anxiety exhibited by the petitioner, who is the mother of the detinue, directs the 2nd respondent to continue with qualitative investigation of the case in Crime No.165/19 and take all out efforts to trace the detinue and the 3rd respondent and also find out, the antecedents of the 3rd respondent. During the course of investigation if the detinue is traced, after keeping the petitioner informed in advance, the detinue shall be produced before the Court of the learned Judicial Magistrate No.1, Karur, for passing appropriate orders as to her custody. The Deputy Superintendent of Police, Karur, is directed to monitor the investigation conducted by the 2nd respondent and give necessary inputs to the 2nd respondent for conducting speedy and qualitative investigation.

4. This habeas corpus petition is disposed of accordingly.

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Judicial Magistrate, No.I, Karur.

2. The Superintendent of Police, Karur District, Karur.

3. The Deputy Superintendent of Police, Karur, Karur District.

4. The Inspector of Police, Pasupathipalayam Police Station
Pasupathipalayam, Karur District.

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

+1 CC to Mr.S.GOKULRAJ, Advocate SR-82711.

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