



BEFORE THE MADURAI BENCH OF THE MADRAS HIGH COURT

DATE : 30.08.2019

CORAM

WEB COPY

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

H.C.P. (MD) NO. 875 OF 2019

Vellaiammal

.. Petitioner

- Vs -

1. The Superintendent of Police
O/o The Superintendent of Police
Sivagangai.
2. The Deputy Superintendent of Police
O/o The Dy. Superintendent of Police
Tirupathur, Sivagangai Dt.
3. The Inspector of Police
S.V.Mangalam Police Station
S.V.Mangalam, Tirupathur Taluk
Sivagangai District.

4. Vaitheeswaran

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of habeas corpus directing respondents 1 to 3 to produce the body and person of the detainee, viz., Alagumani, daughter of Vellaiammal aged about 23 years, before this Court and set her at liberty.

For Petitioner : Mr. R.Senthilkumar

For Respondents : Mr. K.Dinesh Babu, APP for RR-1 to 3

ORDER

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

The petitioner is the mother of the detainee, viz., Alagumani, aged about 23 years and according to her, she got married to the brother of the petitioner, viz., Chinnakalai, and out of the wedlock, a male child was also born and he is aged about 8 years. The daughter of the petitioner, on the pretext of going out to meet somebody, left the home on 12.7.19 and she did not return and in this regard, a complaint as well as representation were submitted to



respondents 1 to 3 and since no response is forthcoming, came forward to file the present petition.

2. Learned counsel appearing for the petitioner submits that subsequently the petitioner came to know that her daughter is under the illegal custody/detention at the hands of the 4th respondent and the said fact has also been brought to the knowledge of the 3rd respondent and, hence, prays for appropriate orders.

3. Mr.Dinesh Babu, learned Addl. Public Prosecutor, who accepts notice for the 3rd respondent, on instructions submit that based on the complaint, a case in Crime No.111/2019 was registered on 27.8.19 u/s 363 IPC and investigation is on.

4. This Court has considered the rival submissions and also perused the materials available in the typed set of documents.

5. This Court, taking into consideration the facts and circumstances, and the anxiety exhibited by the petitioner, directs the 3rd respondent conduct quality and speedy investigation and as and when the detinue is traced, she shall be produced before the Court of Judicial Magistrate, Tirupathur, Sivagangai District, for passing appropriate orders as to her custody and before doing so, the 3rd respondent shall inform the petitioner in advance. The 3rd respondent shall also periodically inform the progress being made in the investigation to the petitioner. The 2nd respondent, viz., the Deputy Superintendent of Police, Sivagangai District, shall also monitor the investigation and give necessary inputs to the 3rd respondent to carry out quality investigation.

6. This habeas corpus petition is disposed of accordingly.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

GLN

To

1. The Superintendent of Police
O/o The Superintendent of Police
Sivagangai.

2. The Deputy Superintendent of Police
O/o The Dy. Superintendent of Police
Tirupathur, Sivagangai Dt.



3. The Inspector of Police
S.V.Mangalam Police Station
S.V.Mangalam, Tirupathur Taluk
Sivagangai District.

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

+1 CC to M/s.R. SENTHILKUMAR, Advocate (SR-84786[F] dated
03/09/2019)

H.C.P. (MD) NO. 875 OF 2019
30.08.2019

KM/ (16.09.2019) 3P 6C