

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2020

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

H.C.P.No.2041 of 2020

V. Parameshwari ..Petitioner

Vs.

1. The Commissioner of Police,
Office of the Commissioner of
Police, Tiruppur District.
2. The Inspector of Police,
Velampalayam Police Station,
Velampalayam, Tiruppur District.
3. Ganesan ..Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Habeas Corpus to direct the 2nd respondent to produce the body of the petitioner's daughter V. Brintha aged 19 years before this Hon'ble Court from the illegal custody of the 3rd respondent and set her at liberty.

For Petitioner :: Mr.P.S. Kothandaraman
For Respondents :: Mr.R. Prathap Kumar
Addl. Public Prosecutor
for R1 & R2
No appearance for R3

O R D E R

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

The petitioner, who is the mother of the detainee has come forward with the present Habeas Corpus Petition seeking her presence before this Court.

2. Learned Additional Public Prosecutor appearing for respondents 1 and 2 submitted that it is a second time elopement of the detenue with the 3rd respondent. On the earlier occasion, the detenue was secured and within two days, she again eloped with the 3rd respondent.

3. Learned counsel for the petitioner submitted that the whereabouts of the detenue are not known and it is reasonably apprehended that the detenue may be in the illegal custody of the 3rd respondent

4. We are not inclined to keep this petition pending any longer. Prima facie, it appears to be a case of elopement, that too, it is elopement for the second time. However, that view being prima facie, we direct the 2nd respondent to continue with the investigation and as and when the detenue is secured, she shall be produced before the jurisdictional Court.

5. The Habeas Corpus Petition is closed with the above direction.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Commissioner of Police,
Office of the Commissioner of
Police, Tiruppur District.

2. The Inspector of Police,
Velampalayam Police Station,
Velampalayam, Tiruppur District.

3 The Public Prosecutor
High Court, Madras.

+1 CC to Mr.P.S. Kothandaraman, Advocate Sr.No.39014

H.C.P. No. 2041 of 2020

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KP(19/12/2020)