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H.C.P.(MD) No.963 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

H.C.P. (MD) No.963 of 2020

Selvi ... Petitioner/Mother of Detenue

-vs-

1.The Superintendent of Police
Madurai District, Madurai

2.The Inspector of Police
Thirumangalam Taluk Police Station
Madurai District

3.The Secretary
Arulagam Women's Home
CSI Compound, Pasumalai
Madurai-625 004

4.D.Sumathi ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents to produce the corpus or body of the petitioner daughter namely A.Abinaya, aged about 18 years, before this Court and set her at liberty.

For Petitioner : Mr.B.A.Muruganantham

For Respondents : Mr.K.K.Ramakrishnan

Additional Public Prosecutor for R1 & R2

O R D E R

[Order of the Court was made by K.KALYANASUNDARAM, J.]

The petitioner has filed this habeas corpus petition seeking direction to the respondents to produce her daughter, namely, A.Abinaya, aged about 18 years, before this Court and set her at liberty.

2. It appears that earlier the fourth respondent herein filed H.C.P.(MD) No.773 of 2020 seeking the very same relief. When the said habeas corpus petition was taken up for hearing on 07.10.2020, it was represented by Mr.Niranjan S.Kumar, learned counsel for the petitioner therein that despite the detenue attained majority, she was illegally kept in a home at the influence of the respondent Police. On 07.10.2020, the detenue appeared before this Court and



stated that she has attained majority and wants to pursue her studies and therefore, we disposed of the habeas corpus petition with a direction to set her at liberty.

3. Even in the present habeas corpus petition also, the petitioner prays to set the detinue at liberty. It is the grievance of the petitioner that the fourth respondent has nothing to do with her daughter / detinue and without providing opportunity to her, the earlier habeas corpus petition was disposed of.

4. This Court does not find any cause of action for filing the present habeas corpus petition as the relief sought for herein has already been granted by this Court, vide order dated 07.10.2020 in the earlier H.C.P.(MD) No.773 of 2020 filed by the fourth respondent herein. Therefore, the habeas corpus petition is dismissed.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

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To:

- 1.The Superintendent of Police,
Madurai District, Madurai.
- 2.The Inspector of Police,
Thirumangalam Taluk Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD) No.963 of 2020
06.11.2020

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