



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

H.C.P. (MD) No.927 of 2020

WEB COPY

R.Rajeswari ... Petitioner/Mother of the detenu

-vs-

1.The Superintendent of Police,
Kanyakumari at Nagercoil,
Kanyakumari District.

2.The State rep. by
The Inspector of Police,
Boothapandy Police Station,
Boothapandy,
Kanyakumari District.

3.Jenith ... 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 body or person of the petitioner's daughter, Kavya, daughter of Rajeswari, aged about 21 years, the detenu herein, before this Court and set her at liberty.

For Petitioner : Mr.J.Sulthan Basha for
M/s Ajmal Associates

For Respondents : Mr.K.Dinesh Babu
1 and 2 Additional Public Prosecutor

O R D E R

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

The prayer sought for in this habeas corpus petition is to direct the respondents to produce the petitioner's daughter, by name, Kavya, aged about 21 years, before this Court and set her at liberty.

2.The petitioner would claim that she is running a Furniture shop in the name and style of Ravi Furniture. On 13.09.2020, her daughter, the detenu herein attended NEET examination at Chennai and the petitioner also went to Chennai along with her daughter



and they returned their home on 14.09.2020. However, she is found missing from 28.09.2020. It is also stated that third respondent and his family members have abducted her daughter and taken away 20 sovereign of gold and Rs.2,35,000/- from the petitioner's home and her daughter being illegally detained by the third respondent and his family members. In this regard, a complaint was given on 15.10.2020 and the same was registered in Crime No.375/2020 under women missing, but no proper action has been taken. Hence, the present petition has been filed.

3.When the matter is taken up for hearing today, the petitioner, the detinue and the third respondent appeared before this Court through video conferencing from the Public Prosecutor's Office. On enquiry, the detinue would state that the marriage between her and the third respondent was performed on 14.09.2020 in a Church at Nagapattinam and the same was registered with the Nagapattinam Joint Sub Registrar No.1 on 06.10.2020. She would further state that both of them are residing at Puducherry. The detinue and the third respondent have also stated that they did not take any jewels and cash as alleged by the petitioner.

4.In view of the above statements, no further adjudication is required. Hence, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

skn

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.



To:

1.The Superintendent of Police,
Kanyakumari at Nagercoil,
Kanyakumari District.

2.The Inspector of Police,
Boothapandy Police Station,
Boothapandy,
Kanyakumari District.

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

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-25485[F] dated
15/12/2020)

H.C.P. (MD) No.927 of 2020
14.12.2020

DKS (CO)

KM (22.12.2020) 3P 5C