

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2021

CORAM

THE HONOURABLE MR. JUSTICE P.N.PRAKASH
AND
THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

H.C.P.No.397 of 2020

Lakshmi

.. Petitioner

Vs.

1.State represented by
The Sub-Inspector of Police,
Alangayam Police Station,
Tirupattur District.

2.Venkatesan

3.Jayapal

4.Vasantha

5.The Superintendent of Police,
Tirupattur District.

6.The Inspector of Police,
Alangayam Police Station,
Tirupattur District.

.. Respondents

RR5 and 6 suo motu impleaded as per order of this Court dated
06.03.2020 in HCP.No.397/2020.

Petition filed under Article 226 of the Constitution of India praying to issue a writ of Habeas Corpus to direct first respondent to produce the body of the petitioner's daughter K.Nirosha, W/o.Venkatesan, aged about 24 years, kept illegal custody of the 2nd respondent to 4th respondent before this Court and set her at liberty.

For Petitioner : Mr.S.Paulgnanamuthu

For R1 : Mr.R.Prathap Kumar,
Addl. Public Prosecutor

ORDER

[Order of the Court was made by P.N.PRAKASH, J.]

The habeas corpus petition has been filed seeking to direct first respondent to produce the body of the petitioner's daughter K.Nirosha, W/o.Venkatesan, aged about 24 years, kept illegal custody of the 2nd respondent to 4th respondent before this Court and set her at liberty.

2. It is the case of the petitioner that her daughter Nirosha, W/o.Venkatesan, aged about 24 years, went missing from 15.01.2020 and thereafter, her whereabouts are not known. It is the grievance of the petitioner that the police are not taking effective steps to secure her.

3. Today, Mr.R.Thamizhazhagan, Special Sub-Inspector of Police, Alangayam Police Station, Tirupattur District, is present.

4. On instructions, the learned Additional Public Prosecutor submitted that Nirosha was married to Venkatesan, second respondent herein, and she has a child through him; while the couple was living in Karnataka, Nirosha developed intimacy with one Govindaraj and eloped with him, in connection with which, on a complaint given by Venkatesan, a case in Yashwanth Nagar Police Station Crime No.143 of 2018 was registered in Karnataka; thereafter, Nirosha and her child were secured and handed over to Venkatesh; thereafter, again Nirosha has eloped with Govindaraj, in connection with which, on a complaint given by the petitioner, a case in Alangayam Police Station Crime No.19 of 2019 was registered and investigation is in progress.

In view of the above, this habeas corpus petition is closed with a direction to the Deputy Superintendent of Police, Vaniampadi, to monitor the investigation in Alangayam Police Station Crime No.19 of 2019 and keep the petitioner informed of the developments, if any. As and when the detainee is secured, she may be produced before the Judicial Magistrate Court No.III, Tirupattur District, under intimation to the petitioner.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

nsd

To

1.The Judicial Magistrate No.III,
Tirupattur District.

2.The Deputy Superintendent of Police,
Vaniampadi.

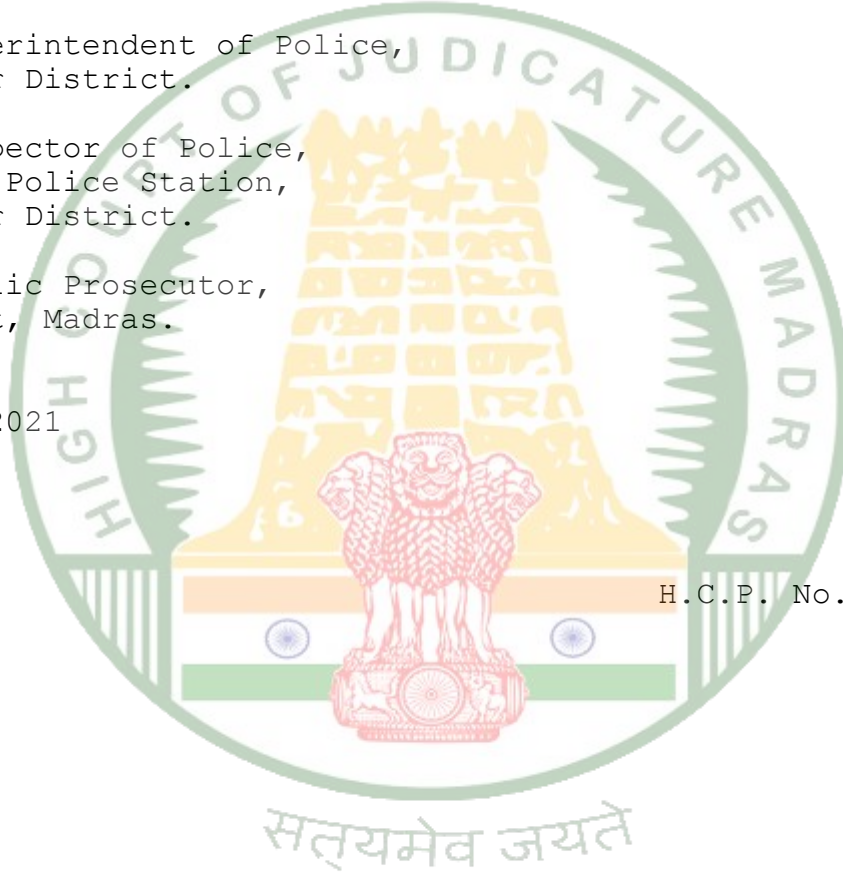
3.The Sub-Inspector of Police,
Alangayam Police Station,
Tirupattur District.

4.The Superintendent of Police,
Tirupattur District.

5.The Inspector of Police,
Alangayam Police Station,
Tirupattur District.

6.The Public Prosecutor,
High Court, Madras.

VSN11(CO)
SM/01/03/2021



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