

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2021

Coram

The Honourable Mr. Justice P.N.PRAKASH
and
The Honourable Mr. Justice P.RAJAMANICKAM

H.C.P.No.413 of 2021

Kandhasami

.. Petitioner

Vs.

1.The Superintendent of Police,
O/o.Superintendent of Police,
Nethimedu,
Salem District, Salem.

2.The Inspector of Police,
Mallur Police Station,
Salem District.

3.Satheesh

4.Arunagiri

5.Poornima

6.Deepa

7.Dhanasekar

8.Arul

9.Angappan

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus to direct the second respondent to produce the body or person of petitioner's daughter Kasturi, aged about 19 years, who is under the illegal custody of the respondents 3 to 9 before this Court and set her at liberty to him before this Court.

For Petitioner : Mr.M.Senthilkumar
For RR 1 and 2 : Mr.R.Prathap Kumar
Additional Public Prosecutor

ORDER

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

This habeas corpus petition has been filed seeking to direct the second respondent to produce the body or person of petitioner's daughter Kasturi, aged about 19 years, who is under the illegal custody of the respondents 3 to 9 before this Court and set her at liberty to him before this Court.

2. It is the case of the petitioner that his daughter Kasturi, aged about 19 years, went missing from 24.02.2021 and that the police are not taking effective steps to secure her.

3. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Mallur Police Station Crime No.111 of 2021 for 'woman missing' has been registered on 11.03.2021 and during enquiry, it came to light that Kasturi (detenue) was in love with one Satheesh, third respondent herein and got married to him and have it registered on 04.03.2021.

Recording the same, this habeas corpus petition is closed with a direction to the Deputy Superintendent of Police, Salem Rural Sub-Division, to monitor the investigation in Mallur Police Station Crime No.111 2021 and keep the petitioner informed of the developments, if any. As and when the detenue Kasturi, aged about 19 years, is secured, she may be produced before the Judicial Magistrate Court No.VI, Salem, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders in accordance with law.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

nsd

To

1.The Judicial Magistrate No.VI,
Salem.

2.The Deputy Superintendent of Police,
Salem Rural Sub-Division,
Salem.

3.The Superintendent of Police,
O/o.Superintendent of Police,
Nethimedu,
Salem District, Salem.

4.The Inspector of Police,
Mallur Police Station,
Salem District.

5.The Public Prosecutor,
Madras High Court,
Chennai - 600 104.

+1 cc to M/s.M.Senthil kumar, Advocate Sr.No. 16014

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GPL(CO)
RMP(24/03/2021)