

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.04.2021

Coram

The Honourable Mr. Justice P.N.PRAKASH
and
The Honourable Mr. Justice R.PONGIAPPAN

H.C.P.No.635 of 2021

M.Aiyaasamy .. Petitioner/Father of detenu
Vs.

1.The Superintendent of Police,
O/o.Superintendent of Police,
Perambalur District.

2.The Inspector of Police,
Mangalamedu Police Station,
Perambalur District.

3.S.Surendaran ...Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus calling for the records in Crime No.163 of 2021 dated 18.03.2021 on the file of the second respondent and direct the respondents herein to produce the body of the petitioner's daughter namely Dhanalakshmi aged 23 years who is in the illegal custody of the third respondent and set her at liberty.

For Petitioner : Mr.S.Esakkimuthu

For Respondents : Mr.R.Prathap Kumar,
: Addl. Public Prosecutor
for R1 and R2

ORDER

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

This habeas corpus petition has been filed seeking to call for the records in Crime No.163 of 2021 dated 18.03.2021 on the file of the second respondent and direct the respondents herein to produce the body of the petitioner's daughter namely Dhanalakshmi, aged 23 years who is in the illegal custody of the third respondent and set her at liberty.

2. It is the case of the petitioner that his daughter Dhanalakshmi, aged about 23 years, went missing from 16.03.2021 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 Mangalamedu Police Station Crime No.163 of 2021 for 'woman missing' was registered on 18.03.2021 and during the course of investigation, it came to light that Dhanalakshmi has eloped with one Surendaran, third respondent herein.

Recording the same, this habeas corpus petition is closed with a direction to the Deputy Superintendent of Police, Mangalamedu Sub-Division, to monitor the investigation in Mangalamedu Police Station Crime No.163 of 2021 and keep the petitioner informed of the developments, if any. As and when the detainee viz., Dhanalakshmi, aged about 23 years, is secured, she shall be produced before the District Munsif-cum-Judicial Magistrate Court, Vepanthattai, Perambalur, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders with regard to the custody in accordance with law.

Sd/-
Assistant Registrar (CS-CCC)

//True copy//

Sub Assistant Registrar

nsd

To

- 1.The District Munsif-cum-Judicial Magistrate,
Vepanthattai, Perambalur.
- 2.The Deputy Superintendent of Police,
Mangalamedu Sub-Division.
- 3.The Superintendent of Police,
O/o.Superintendent of Police,
Perambalur District.
- 4.The Inspector of Police,
Mangalamedu Police Station,
Perambalur District.

5.The Public Prosecutor,
High Court, Madras.

H.C.P.No.635 of 2021

KJ(CO)
GMY(22/06/2021)



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