

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 30.04.2021

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH
AND
THE HONOURABLE Mr.JUSTICE R.PONGIAPPAN

H.C.P.No.712 of 2021

Kannagi

... Petitioner

Vs.

1.The Superintendent of Police
Superintendent Office
Thiruvannamalai District

2.The Inspector of Police
Thiruvannamalai Taluk Police Station
Thiruvannamalai District

3.Sathish @ Elumalai

... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS to direct the respondents 1 & 2 to produce the petitioner's daughter Udhayanila, aged 22 years, before this Court and set her at liberty

For Petitioner : Mr.T.Gnana Banu

For R1 & R2 : Mr.R.Prathap Kumar
Additional Public Prosecutor

O R D E R

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

It is the case of the petitioner that her daughter viz., Udhayanila, aged 22 years, is in the illegal custody of R3 and that the police are not taking effective steps to secure her.

2. On instructions, Mr.R.Prathap Kumar, learned Additional Public Prosecutor submitted that, on a complaint given by Mathesh, a case in Tiruvannamalai P.S.Crime No.205 of 2021 has

been registered for the offence under Section 366 IPC on 20.04.2021 against R3; during the course of investigation, Udhayanila stated that she is in love with R3 and got married to him; therefore, Mathesh gave a letter withdrawing the complaint.

3. Today, when this matter was taken up for hearing, the learned counsel for the petitioner refuted this contention and stated that the complaint was not withdrawn.

4. In view of the above, we direct the 2nd respondent to produce Udhayanila before the learned Judicial Magistrate No.II, Tiruvannamalai, who shall pass appropriate orders with regard to the custody, after enquiring her. Thereafter, the case in Tiruvannamalai P.S.Crime No.205 of 2021 may be closed.

With the above direction, this Habeas Corpus Petition stands closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Judicial Magistrate No.II,
Tiruvannamalai.
- 2.The Superintendent of Police,
Superintendent Office,
Thiruvannamalai District.
- 3.The Inspector of Police,
Thiruvannamalai Taluk Police Station,
Thiruvannamalai District.
- 4.The Public Prosecutor
High Court, Madras.

H.C.P.No.712 of 2021

pvs[col]
srg 08/07/2021