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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.08.2021

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THE HONOURABLE MR.JUSTICE P.N.PRAKASH
AND
THE HONOURABLE MS.JUSTICE R.N.MANJULA

H.C.P.NO.1241 OF 2021

P.Thamizhmani
W/o.Periyasamy

.. Petitioner

Vs.

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Perambalur District.
- 2.The Superintendent of Police,
Office of the Superintendent of Police,
Nilgiris District.
- 3.The Inspector of Police,
Kunnam Police Station,
Perambalur District.
- 4.The Inspector of Police,
Devar Solai Police station,
Devar Solai, Nilgiris District.

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the respondents to produce the body of the petitioner's daughter-in-law Mrs.Dhanya W/o.Senthil Kumar, aged 36 years, before this Court and set her at liberty.

For Petitioner : Mr.K.Sathyabal
For Respondents: Mr.R.Muniyapparaj
Government Advocate [crl.side]

ORDER

[Order of the Court was made by R.N.MANJULA, J]

This petition has been filed seeking a direction to the respondents to produce the body of the petitioner's daughter-in-law Mrs.Dhanya W/o.Senthil Kumar, aged 36 years, before this



Court and set her at liberty.

2. It is the case of the petitioner that her son Senthil Kumar got married to one Dhanya in the year 2016 and thereafter, they were living in Abu Dhabi in the UAE. It is the allegation of the petitioner that her daughter-in-law Dhanya left the company of her husband in Abu Dhabi and returned to India on 07.06.2021 and that their whereabouts are not known. The petitioner also furnished the passport number of Dhanya.

3. The petitioner's family lives within the jurisdiction of Kunnam Police Station in Perambalur district and the parents of Dhanya are residing within the jurisdiction of Devar Solai Police Station in Nilgiris district.

4. Today, Mr.Ravindran, Inspector of Police, Kunnam Police Station and Mr.Thirumalairajan, Inspector of Police, Devarsolai Police Station, have appeared via video conferencing.

5. On instructions from them, the learned Government Advocate [crl.side] submits that Dhanya is neither within the jurisdiction of Kunnam Police Station nor within the jurisdiction of Devarsolai Police Station.

6. On 17.08.2021, we directed the office of the Public Prosecutor to verify from the Immigration Department about the entry and exist of Dhanya and report to this Court. Accordingly, on the request made by the office of the Public Prosecutor, the Bureau of Immigration, Government of India, Chennai, has submitted a report dated 18.08.2021. The same reads as follows:

Arrival / Departure Particulars for the Passport No.S0359154:

S1 .N o.	Dep. Date	Flt.No. / ICP	Final Destinati on	Arr. Date	Flt.No. / ICP
1.	07/05/20 18	IX-363 / Calicut	UAE	09/05/20 18	IX-348 / Calicut
2.	08/02/20 20	6E-173 / Calicut	UAE	07/06/20 21	EY-246 / Cochin

7. A reading of the above shows that Dhanya has left Calicut on 08.02.2020 and has returned to Cochin in Kerala on 07.06.2021. In such view of the matter, it cannot be said that Dhanya is in illegal custody of any person in the State of Tamil Nadu warranting issuance of a Writ of Habeas Corpus.



Accordingly, the Habeas Corpus Petition is closed. It is always open to the petitioner to work out her remedy in the manner known to law.

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Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Perambalur District.
- 2.The Superintendent of Police,
Office of the Superintendent of Police,
Nilgiris District.
- 3.The Inspector of Police,
Kunnam Police Station,
Perambalur District.
- 4.The Inspector of Police,
Devar Solai Police station,
Devar Solai, Nilgiris District.
- 5.The Public Prosecutor,
High Court, Madras.

+1cc to M/S.Sathyabal, Advocate, S.R.No.43956

H.C.P.No.1241 of 2021

JP II(CO)
PM/17/09/2021