

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.02.2021

Coram

The Honourable Mr. Justice P.N.PRAKASH
and
The Honourable Mr. Justice V.SIVAGNANAM

H.C.P. No.2205 of 2020

S.Kala

.. Petitioner

Vs.

1.The Superintendent of Police,
Dharmapuri District, Dharmapuri.

2.The Inspector of Police,
Thoppur Police Station,
Dharmapuri District.

3.P.Joseph

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of Habeas Corpus directing the first and second respondents to produce the detainee before this Court from the third respondent and set the detainee S.Durgadevi, Daughter of Sunderrajan, aged about 19 years, at liberty forthwith.

For Petitioner : Mr.T.V.G.Kartheeban

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

ORDER

[Order of the Court was made by V.SIVAGNANAM, J.]

This habeas corpus petition has been filed seeking to direct the first and second respondents to produce the detainee before this Court from the third respondent and set the detainee S.Durgadevi, Daughter of Sunderrajan, aged about 19 years, at liberty forthwith.

2. It is the case of the petitioner that her daughter S.Durgadevi, aged about 19 years, went missing from 27.11.2020 and that the police are not taking effective steps to secure her.

3. Today, Mr.B.Chandra Sekar (Mobile No.94887 61929), Grade I - 649, Thoppur Police Station, Dharmapuri District, is present.

4. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Thoppur Police Station Crime No.737 of 2020 for 'woman missing' was registered on 24.11.2020. During investigation, it came to light that Durgadevi was in love with Joseph, third respondent and that they have eloped.

In view of the above, this habeas corpus petition is closed with a direction to the Deputy Superintendent of Police, Dharmapuri Sub-Division, to monitor the investigation in Thoppur Police Station Crime No.737 of 2020 and keep the petitioner informed of the developments, if any. As and when the detinue is secured, she may be produced before the Judicial Magistrate Court No.II, Dharmapuri, under intimation to the petitioner. On such production the learned Magistrate, shall pass appropriate orders with regard to the custody of the detinue in accordance with law.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

nsd
To

1.The Judicial Magistrate No.II,
Dharmapuri.

2.The Deputy Superintendent of Police,
Dharmapuri Sub-Division,
Dharmapuri.

3.The Superintendent of Police,
Dharmapuri District, Dharmapuri.

4.The Inspector of Police,
Thoppur Police Station,
Dharmapuri District.

5.The Public Prosecutor, High Court, Madras.

+lcc to Mr.T.V.G.Kartheeban , Advocate SR.No. 10398

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nmi co

A.SK(11.03.2021)