



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2021

Coram

The Honourable Mr. Justice P.N.PRAKASH
and
The Honourable Mrs. Justice R.HEMALATHA

H.C.P.No.1630 of 2021

Mangayarkarasi .. Petitioner/Mother of Detenue
Vs.

1. The Superintendent of Police,
Kallakurichi District,
Kallakurichi.
2. The Inspector of Police,
Edaikkal Police Station,
Kallakurichi District.

3. Jagdish Kumar .. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents 1 and 2 to produce the petitioner's daughter by name Malini, aged about 17 years, before this Court from the custody of the 3rd respondent and hand over to the petitioner.

For Petitioner : Mr.M.Subash

For RR 1 and 2 : Mr.R.Muniyapparaj,
Addl. 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 respondents 1 and 2 to produce the petitioner's daughter by name Malini, aged about 17 years, before this Court from the custody of the 3rd respondent and hand over to the petitioner.

2. On 20.10.2021, this Court passed the following order:
"It is the case of the petitioner that her
daughter Malini, aged about 17 years, went missing



WEB COPY

from 11.09.2021 and thereafter, her whereabouts are not known and it is the grievance of the petitioner that the police are not taking effective steps to secure her.

2. On instructions, the Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Edaikkal Police Station Crime No.288 of 2021 was registered on 12.09.2021 for 'girl missing' and the preliminary enquiry revealed that the detainee Malini, aged about 17 years, is said to have eloped with one Jagdish Kumar, third respondent herein.

3. In such view of the matter, we direct the Deputy Superintendent of Police, Ulundurpet, to supervise the investigation in Edaikkal Police Station Crime No.288 of 2021 and keep the petitioner informed of the developments, if any. As and when the detainee Malini, aged about 17 years, is secured, she shall be produced before the Judicial Magistrate Court No.I, Ulundurpet, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders with regard to custody in accordance with law.

Post the matter on 17.11.2021."

3. Today, Viji, Inspector of Police, Edaikkal Police Station, is present before this Court via video conferencing.

4. On instructions, the learned Additional Public Prosecutor submitted that the detainee Malini, aged about 17 years, was secured on 15.11.2021 and was produced before the Judicial Magistrate Court No.I, Ulundurpet and thereafter, Malini has been handed over to her parents.

5. The learned counsel for the petitioner also conceded the position.

Recording the same, this habeas corpus petitioner stands closed.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar



nsd

To

1. The Superintendent of Police,
Kallakurichi District,
Kallakurichi.
2. The Inspector of Police,
Edaikkal Police Station,
Kallakurichi District.
3. The Judicial Magistrate II,
Ulundurpet.
4. The Deputy Superintendent of Police,
Ulundurpet.
5. The Public Prosecutor,
High Court, Madras.

H.C.P.No.1630 of 2021

AKII (CO)
PR (03/12/2021)