



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MR.JUSTICE G.ILANGOVA

H.C.P. (MD) No.237 of 2021

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C.Annamariyal

... Petitioner

-vs-

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

2.The Inspector of Police,
Melapalayam Police Station,
Tirunelveli District.

3.Balasubramanian @ Bala

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus, directing the respondents 1 & 2 to produce the body or person of her daughter/detenué namely Seethalakshmi (aged 23 years) before this Court and set her at liberty.

For Petitioner: M/s.M.Shobana

For R1 & R2 : Mr.K.Dinesh Babu

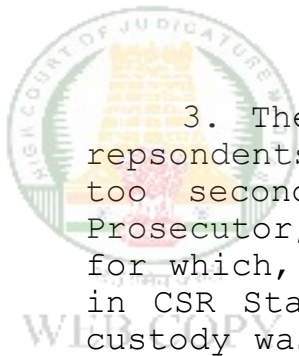
Additional Public Prosecutor

O R D E R

[Order of the Court was made by K.KALYANASUNDARAM, J.]

The prayer in the habeas corpus petition is to direct the respondents 1 & 2 to produce the petitioner's daughter, namely, Seethalakshmi, aged 23 years, before this Court and set her at liberty.

2.The petitioner would state that the detenué has completed B.E., and was working in MEPS Company in Chennai. She came to her native place due to COVID-19 pandemic. During the time, she was receiving phone calls from the third respondent. She would further state that the third respondent is a married man and having four children and hence, she warned her daughter not to any conduct with third respondent. While so, the detenué is missing from 31.12.2020 and hence, she lodged a complaint with the second respondent and the same was registered on 01.02.2021 under Section 366 of IPC in Cr.No.3 of 2021, but subsequently, no action was taken and hence, this petition has been filed.



3. The learned Additional Public Prosecutor appearing for the respondents 1 & 2 would state that this is a case of elopement that too second time. According to the learned Additional Public Prosecutor, initially the detainee was found missing from 04.12.2020, for which, a case was given to Nagercoil Police Station, when it was in CSR Stage, she was secured by the police on 07.12.2020 and her custody was handed over to the petitioner. It is further submitted that second time the detainee eloped with third respondent on 31.12.2020, for which a case was registered in Cr.No.3 of 2021 and the same is under investigation.

4. In the light of the above fact, we find no merits in the habeas corpus petition and hence, this petition is dismissed, however, we direct the second respondent to speed up the investigation in Cr.No.3 of 2021. No costs.

Sd/-

Assistant Registrar (CS-I)

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/ /2021

Sub Assistant Registrar(CS)

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

- 1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
- 2.The Inspector of Police,
Melapalayam Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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