



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :21.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P. (MD) No.401 of 2021

Malathy ... Petitioner/Mother of the detenu

-VS-

1.The Superintendent of Police,
Office of the Superintendent of Police,
Trichy District.

2.The Inspector of Police,
Thuvakudi Police Station,
Trichy District.

3.Dinesh ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents to produce the body and person of the Petitioner's minor daughter by name Sathyapriya, daughter of Arumugam, aged 17 years before this Court and hand over the custody of the detenu to the Petitioner.

For Petitioner :Mr.R.Alagumani

For Respondents:Mr.S.Ravi
1and 2Standing Counsel for the State Government.
R3 :R.AlagiaNambi

O R D E R

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

The Petitioner has come forward with this Habeas Corpus Petition seeking for a direction to the respondents 1 and 2 to produce the Petitioner's daughter Sathyapriya, daughter of Arumugam, aged 17 years before this Court and hand over the custody of the detenu to the Petitioner.

2.Heard the learned counsel appearing on either side and
services to the court materials placed before this Court.



3.The Petitioner would claim that she is a daily wager and she is blessed with two daughters. It is further stated that her husband Arumugam was a life convict and he is in judicial custody. While-so, the detenue who is the first daughter of the Petitioner is found missing from 25.02.2021. It is alleged that the detenue was kidnapped by the third respondent and hence she lodged a on-line complaint with the second respondent. But no action was taken to secure the detenue.

4.When the matter is taken up for hearing today, the Petitioner as well as the detenue appeared before this Court through video conferencing. On enquiry, the detenue would state that now she has completed 18 years and she is staying with her uncle. It is further stated that she is not willing to go with the Petitioner/her mother.

5.In the light of the above statement made by the detenue, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (CSIII)

// True Copy //

/ /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.

Vsn

To:

1.The Superintendent of Police,
Office of the Superintendent of Police,
Trichy District.

2.The Inspector of Police,
Thuvakudi Police Station,
Trichy District.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

WEB COPY

+1 CC to M/s.R.ALAGIANAMBI, Advocate (SR-19856[F] dated
22/06/2021)

ORDER MADE IN

H.C.P. (MD) No.401 of 2021

21.06.2021

GS (28.06.2021) 3P 5C