



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.03.2021

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE G.ILANGO VAN**

H.C.P. (MD) No.395 of 2021

R.Eswari ... Petitioner/Mother of detenue

-vs-

1.The Commissioner of Police,
Madurai City,
Madurai District.

2.The Inspector of Police,
Koodal Pudur Police Station,
Madurai District.

3.Chelladurai ... 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 petitioner's daughter Karthika devi/detenu aged about 26 years, either in person or body before this Court and thereupon set her liberty from the illegal detention of the third respondent forthwith.

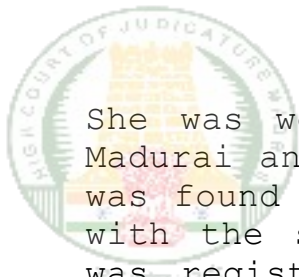
For Petitioner : Mr.M.Suresh
For R1 & R2 : Mr.K.Dinesh Babu
Additional Public Prosecutor

O R D E R

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

The prayer in this habeas corpus petition is to direct the respondents 1 & 2 to produce the petitioner's daughter, namely, Karthika devi, aged about 26 years, before this Court and set her liberty from the illegal detention of the third respondent.

2. The petitioner would state that she is having three children and the detenue is the only daughter of the petitioner.



She was working in a Lab at Mannar Thirumalai Naicker College, Madurai and thereafter, in a Mineral Water Company. However, she was found missing on 07.02.2021 and hence, she lodged a complaint with the second respondent on 08.02.2021. Though the complaint was registered by the second respondent in Cr.No.88 of 2021 as "Woman Missing", but no action was taken. She also stated that the detainee was kidnaped by the third respondent and she is in illegal custody of the third respondent.

3. When the matter was taken up for hearing, the detainee appeared before this Court through Video Conferencing from the Public Prosecutor Office. On enquiry, she stated that now she is residing with her cousin sister Jeyalakshmi at Trichy. The said Jeyalakshmi also appeared before this Court. Both have stated that they are working in Vinayaka Hardware Store at Trichy and she is not illegally detained by the third respondent. It is also stated that from 08.02.2021 frequently the petitioner is talking with the detainee.

4. In the light of the above statement, we find no merits in the habeas corpus petition and hence, the same is dismissed. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

am

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 Commissioner of Police,
Madurai City,
Madurai District.

2.The Inspector of Police,
Koodal Pudur Police Station,
Madurai District.

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

+1 CC to MR.M.SURESH, Advocate (SR-10759[F] dated 12/03/2021)

H.C.P. (MD) No.395 of 2021
12.03.2021

KM (25.03.2021) 3P 5C