



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.04.2021

CORAM:

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

H.C.P.(MD) No.477 of 2021

R.Shaunmugaraja ... Petitioner/Father of the detenu

-vs-

1.The Commissioner of Police,
Office of the Police Commissioner's Office,
Alagarkoil Road,
Madurai - 625 002.

2.The Commissioner of Police,
Office of the Police Commissioner's Office,
62, Old Post Office Road,
Near Railway Station,
Coimbatore - 641 018. ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 and 2 to secure the detenu and produce the body or person of the Petitioner's daughter SR.Maheswari, daughter of Shaunmugaraja, aged about 38 years, before this Court and set her at liberty forthwith.

For Petitioner :Mr.V.S.V.Venkateshvaran

For Respondents :Mr.K.K.Ramakrishnan
Additional Public Prosecutor

O R D E R

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

This habeas corpus petition has been filed for a direction to the respondents 1 and 2 to secure the Petitioner's daughter SR.Maheswari, aged 38 years and produce her before this Court and set her at liberty.

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

3.The Petitioner is the father of the detenu. It is alleged that from third week of December 2020, the detenu is found missing. The



grievance of the Petitioner is that despite complaint to the respondents, no steps having been taken to secure the detainee.

4.Mr.K.K.Ramakrishnan, learned Additional Public Prosecutor appearing for the respondents submitted that the detainee was living with her husband at Coimbatore and he lodged a complaint for missing of the detainee with Saravanampatti Police Station, Coimbatore City and it was treated as C.S.R.No.682 of 2020. He further added that during investigation, it was found that the detainee has gone to Chennai and also filed O.P before the Family Court, Chennai against her husband for divorce. The learned Additional Public Prosecutor has also produced a letter of the detainee, wherein, she has stated that she is an M.E., graduate and in view of the threat from her husband and mother-in-law, she left the matrimonial home and residing at Chennai and she is working in a private company for her livelihood. It is also stated that on the earlier occasions, she used to go to her parents house, but they also did not support her.

4.In the light of the letter of the detainee and the submissions of the learned Additional Public Prosecutor, we find no merit in the Habeas Corpus Petition and accordingly, the same stands dismissed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar()

vsn

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:

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



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

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ORDER MADE IN
H.C.P. (MD) No.477 of 2021
20.04.2021

vsn
RM 20/05/2021 (3P-4C)