



WEB COPY

H.C.P.(MD)No.557 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2021

CORAM :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

H.C.P.(MD) No.557 of 2021

Ganesan

.. Petitioner/Father of
the Detenue

Vs

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

2. The Superintendent of Police,
Namakkal District. Namakkal.

3. The Sub Inspector of Police,
V.K Pudur Police Station,
Tenkasi District.

4. The Inspector of Police,
Veppadai Police Station,
Namakkal District.

5. Bashkar

6. Maheswari

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Habeas Corpus, directing the respondents 1 to 4 to secure the detenue and produce the person or body of the petitioner's daughter namely Lakshmi, D/o.Ganesan, aged 28 years, before this Hon'ble Court and set her at libery forthwith.

For Petitioner

: Mr.M.Sankar

For respondents

: Mr.S.Chandrasekar
Additional Public Prosecutor
for R1 to R4
Mr.M.Alagumani,
for R5
No Appearance for R6



ORDER

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

Heard Mr.M.Sankar, learned Counsel appearing for the petitioner, Mr.S.Chandrasekar, learned Additional Public Prosecutor appearing for the respondents 1 to 4 and Mr.M.Alagumani, learned Counsel appearing for the fifth respondent.

2. The petitioner is the father of the detinue, aged about 28 years. Based on the case registered, the respondents-Police have secured the presence of the detinue, who appeared before this Court through video conferencing and she was present in the Office of the learned Additional Public Prosecutor.

3. There was some allegation against the fifth respondent. The learned Counsel appearing for the fifth respondent clearly submitted that the fifth respondent is not in touch with the detinue. The sixth respondent is a person who is stated to be a hostel warden, has facilitated to get employment for the detinue in textile mill in Erode. When we questioned the detinue, she stated that she was working in a particular mill and work was very strenuous, hence, she wanted her father to come and take her back, but he refused to come. When we questioned the petitioner-father, he stated that on account of rains during pongal time, he could not travel and he assures that he will come after some time. But, thereafter the detinue went missing. Finally, the detinue would state that she wants to go back to Erode and work in another mill and she has no contact with the fifth respondent. As the detinue is aged about 28 years, we cannot compel her to go along with her father. All that we can advise is she should stay safe and protect herself and the petitioner-father also shall keep in touch with the detinue, his daughter.

4. The respondents-Police are directed to verify the antecedents of the sixth respondent as to whether she is only a hostel warden or she is running any manpower recruiting agency etc.

5. Thus, we find that there is no illegal detention. With the above observation, the Habeas Corpus petition is closed.

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Sd/-

Assistant Registrar (W)

// 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.

To:

1. The Superintendent of Police,
Tenkasi District. Tenkasi.
2. The Superintendent of Police,
Namakkal District. Namakkal.
3. The Sub Inspector of Police,
V.K Pudur Police Station,
Tenkasi District.
4. The Inspector of Police,
Veppadai Police Station,
Namakkal District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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