



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :13.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

and

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

H.C.P. (MD) No.690 of 2021

Vijaya

... Petitioner/Mother of the detenu

-vs-

1.The Deputy Superintendent of Police,
Melur,
Madurai District.

2.The Inspector of Police,
Melur Police Station,
Madurai District,
in crime No.2124 of 2020

... Respondents

PRAYER : Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Habeas Corpus, directing the respondents to produce the body or person of the petitioner's daughter the detenu namely Nivatha @ Sathya, aged about 29 years along with her minor son namely Vishnu, aged about 10 years, before this Court and set them at liberty.

For Petitioner : Mr.S.Saravanakumar

For Respondents : Mr.A.Thiruvadikumar

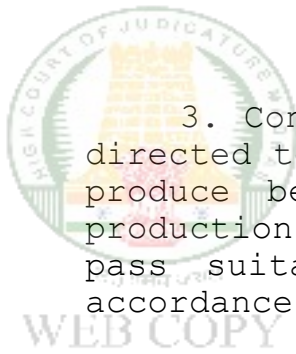
Standing counsel for the State

O R D E R

(Order of the Court was made by V.BHARATHIDASAN, J.)

Alleging that the petitioner's daughter by name Nivatha @ Sathya, aged about 29 years, along with her minor son viz., Vishnu, aged about 10 years, found missing, the petitioner has lodged a complaint before the second respondent police. But, so far no action has been taken to secure the detenu. Hence, the present Habeas Corpus Petition has been filed.

2. When the matter is taken up for hearing today, the learned Standing counsel appearing for the respondents would submit that the detenu is a married lady and her husband is in abroad and the initial investigation reveals that she eloped with one Mohan Kumar and their whereabouts are not known and the investigation is also in progress.



3. Considering the above facts, the second respondent police is directed to proceed with the investigation and secure the detenu and produce before the concerned jurisdictional Magistrate. On such production, the concerned jurisdictional Magistrate is directed to pass suitable orders, regarding the custody of the detenu, in accordance with law.

4. With the above directions, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

gbg/akv

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 Deputy Superintendent of Police,
Melur,
Madurai District.

2.The Inspector of Police,
Melur Police Station,
Madurai District,

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

COPY TO:-

The Judicial Magistrate,
Melur, Madurai District.

ORDER MADE IN
H.C.P. (MD) No.690 of 2021
13.09.2021

GC(27.09.2021) 2P 5C