



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :16.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

and

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

H.C.P. (MD) .No.1152 of 2021

Bhavanilakshmi Gunasekaran ... Petitioner/Mother of detenue
-vs-

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

2.The Inspector of Police,
Ramanathapuram Bazaar Police Station,
Ramanathapuram District.
(Cr.No.345 of 2021)

3.Vikki @ Vigneswaran ... Respondents

PRAYER : Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Habeas Corpus, directing the 1st and 2nd respondents to produce the Person of body of the detenue, Kayathri, D/o.Gunasekaran aged about 19 years and set her at liberty from the hands of the third respondent.

For Petitioner : Mr.M.Boopathi Pandian

For R-1 & R-2 : Mr.S.Ravi

Standing counsel for the State

O R D E R

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

The petitioner is the mother of the detenue and alleging that her daughter by name Kayathri, D/o.Gunasekaran, aged about 19 years, was found missing from 02.08.2021, she has given a complaint before the second respondent police. Even though an F.I.R has been registered in Crime No. 345 of 2021, so far no action has been taken by the second respondent police to secure the detenue. Hence, the present Habeas Corpus Petition has been filed.

2. When the matter is taken up for hearing today, Mr.S.Ravi, learned Standing Counsel appearing for the State, on instructions would submit that the petitioner's daughter/detenue is a major, aged about 19 years and the investigation reveals that the detenue eloped with the third respondent and based on the complaint given by the petitioner, a case in Crime No.345 of 2021 has already been



registered 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 detinue as early as possible and produce before the concerned Judicial Magistrate. On such production, the concerned Judicial Magistrate is directed to pass suitable orders regarding the custody of the detinue, 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)

pm

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,
Ramanathapuram District,
Ramanathapuram.

2.The Inspector of Police,
Ramanathapuram Bazaar Police Station,
Ramanathapuram District.

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

H.C.P. (MD) No.1152 of 2021

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RD(26.08.2021) 2P 4C