



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :13.08.20211

CORAM:

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

and

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

H.C.P. (MD) No.1145 of 2021

WEB COPY

M.Marimuthu

... Petitioner

-vs-

1.The Superintendant of Police,
Pudukkottai District.

2.The Inspector of Police,
Viralimalai Police Station,
Pudukkottai District.

3.P.Muthusamy

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Habeas Corpus, directing the 2nd respondent herein to produce the detenu namely Elavarasi, aged about 19 years, daughter of Marimuthu before this Court and set her at liberty.

For Petitioner : Mr.S.Sekar

For R1 & R2 : Mr.S.Ravi

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 Elavarasi, aged 19 years, was found missing from 12.07.2021, the petitioner has made 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.

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 Elavarasi is a major and she eloped with the third respondent and the second respondent police are taking steps to secure the detenu.

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



regarding the custody of the detainee, in accordance with law. The concerned Deputy Superintendent of Police is directed to monitor the investigation.

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

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Sd/-

Assistant Registrar (T & P)

// 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 Jurisdictional Magistrate,
Pudukkottai District.
2. The Superintendant of Police,
Pudukkottai District.
3. The Deputy Superintendent of Police,
Pudukkottai District.
4. The Inspector of Police,
Viralimalai Police Station,
Pudukkottai District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD) No.1145 of 2021

13.08.2021

RS (25.08.2021) 2P 6C