



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

and

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

H.C.P. (MD) .No.1171 of 2021

S.Eswari

... Petitioner/mother of the detainee

-VS-

1.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.

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

... 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 person or body of the petitioner's daughter namely Sobika, D/o. Selvaraj. aged about 23 years old before this Hon'ble Court and set her at liberty.

For Petitioner : Mr.D.Karthikraja for
Mr.K.Anbumanikandan

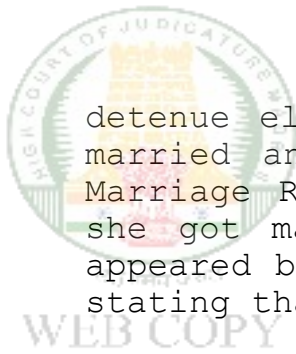
For Respondents : Mr.S.Ravi
Standing counsel for the State

O R D E R

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

The petitioner is the mother of the detainee. Alleging that the petitioner's daughter by name Sobika, D/o.Selvaraj, aged about 23 years, was found missing from 20.07.2021, the petitioner said to have given a complaint before the second respondent police on 21.07.2021. Though an F.I.R has been registered in Crime No.207 of 2021, so far no action has been taken by the second respondent police to secure the detainee. 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 based on the complaint given by the petitioner, the second respondent police has registered an F.I.R. in Crime No.207 of 2021, and the further investigation reveals that the



detenue eloped with one Balamurugan, S/o.Pichai and they also got married and living separately and has also produced the copy of Marriage Registration Certificate and the photographs to show that she got married. He would further submit that the detenue also appeared before the second respondent police and submitted a letter stating that she got married and living happily.

3. Considering the above circumstances, the second respondent police is directed to take steps to secure the detenue as early as possible and in the event of securing the detenue, the second respondent police is directed to produce the detenue before the concerned Judicial Magistrate. On such production, the concerned Judicial Magistrate is directed to pass suitable orders regarding the custody of the detenue, in accordance with law.

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

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

JBR/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,
Office of the Superintendent of Police,
Madurai District.
- 2.The Inspector of Police,
Elumalai Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to

The Chief Judicial Magistrate, Madurai.

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