



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

and

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

H.C.P. (MD) No.1205 of 2020

WEB COPY

Malliga

... Petitioner

vs.

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

2.The Inspector of Police,
Thogamalai Police Station,
Karur District.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, directing the respondents to produce the body or person of the Petitioner's daughter namely Mariammal, aged about 26 years, before this Court and set her at liberty.

For Petitioner : Mr.V.Vishnu

For R 1 and 2 : 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, Mariammal, aged about 26 years, found missing from 04.02.2020, the petitioner has given a complaint before the 2nd respondent police. Since no action has been taken, the present Habeas Corpus Petition has been filed.

2.Mr.Ravi, the learned Standing Counsel for the State, on instructions, submitted that the petitioner's daughter-detenué earlier given marriage against her wish with one Somasundaram. Since she is not willing to live with her husband, she left the matrimonial house and came to the petitioner's house and subsequently, she found missing and her whereabouts is not known and they are continuing the investigation.

3.Considering the submissions, sine the detenué is found missing more than 18 months, the second respondent police is directed to proceed with the investigation, secure the detenué 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 detainee, in accordance with law.

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

Sd/-

Assistant Registrar (CS I)

// 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 Chief Judicial Magistrate,
Karur.
2. The Superintendent of Police,
Karur District,
Karur.
3. The Inspector of Police,
Thogamalai Police Station,
Karur District.
4. The Addl. Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER MADE IN
H.C.P. (MD) No.1205 of 2020
08.09.2021

RS (22.09.2021) 2P 5C