



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :23.09.2021

CORAM:

**THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN
and
THE HONOURABLE MRS.JUSTICE J.NISHA BANU**

H.C.P. (MD)No.1417 of 2021

R.Kala ... Petitioner/Mother of the detenu
vs.

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai.
- 2.The Inspector of Police,
Melur Police Station,
Melur, Madurai. ... Respondents

PRAYER : Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, to direct the respondents 1 and 2 herein to produce the body or person of Nesapriya D/o Ravichandran aged about 22 years herein before this court and set her at liberty.

For Petitioner : Mr.S.Arunnithy
For Respondents : Mr.S. Ravi
Additional Public Prosecutor

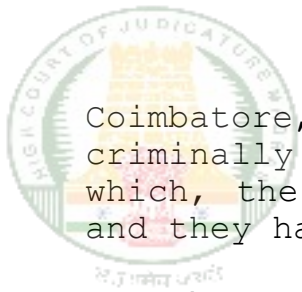
O R D E R

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

Alleging that the petitioner's daughter, by name, Nesapriya, aged about 22 years, found missing, the petitioner has given a complaint before the 2nd respondent police. Since no action has been taken by the second respondent to secure the detenu, the present Habeas Corpus Petition has been filed.

2. Today, the Inspector of Police, Melur, is present.

3. The learned Additional Public Prosecutor appearing for the respondent Police, on instructions, would submit that the detenu got married one Pradeep Pandian, on 13.08.2021. Subsequently, the detenu has also given a complaint against the father of the detenu before the petitioner, before the All Women Police Station,



Coimbatore, stating that the petitioner's family threatening and criminally intimidated them. Hence, an enquiry was conducted, in which, the petitioner's brother and father of the detinue appeared and they have also got the jewels from the detinue.

4. Now, after that, the father of the detinue set up the wife and filed the present Habeas Corpus Petition, as if the detinue has been illegally detained.

5. Considering the above circumstances, after fully knowing the fact that the detinue has got married one Pradeep Pandian, the petitioner, who is the mother of the detinue, has filed the present Habeas Corpus Petition. It is a deliberate act on the part of the petitioner and abuse of process of the Court. Hence, the Habeas Corpus Petition is not maintainable and the same is dismissed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

gbg/mpk

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.
2. The Inspector of Police,
Melur Police Station,
Melur, Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD) No.1417 of 2021
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