



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :29.09.2021

CORAM:

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

H.C.P. (MD) No.1445 of 2021

Rajeshwari

... Petitioner/
Mother of the detenue

-vs-

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

2.The Inspector of Police,
Batlagundu Police Station,
Dindigul District.

3.Sandeep

... 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 1 and 2 to produce the body or person of the detenue namely, Nandhini, aged about 19 years daughter of the petitioner before this court and set her at liberty.

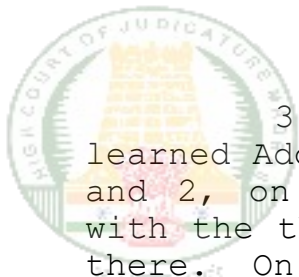
For Petitioner : Mr.S.Sarvagan Prabhu
For R1 & R2 : Mr.S.Ravi
Additional Public Prosecutor

O R D E R

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

Alleging that the petitioner's daughter by name, Nandhini, aged about 19 years, was found missing, suspecting that the third respondent abducted her, the petitioner has given a complaint before the second respondent police. But, so far no action has been taken by the second respondent to secure the detenue. Hence, the present Habeas Corpus Petition has been filed.

2.The petitioner is the mother of the detenue. It is alleged that the detenue is found missing from 03.07.2021.



3. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondents 1 and 2, on instructions, would submit that the detainee has eloped with the third respondent and they have gone to Odissa and residing there. On knowing the same, the petitioner along with her relatives went to odissa and they met the detainee and requested her to come back, but she refused to come back to home. Further, the petitioner has also given a statement with regard to the above said facts, to the respondent police. But, suppressing all those facts, the present Habeas Corpus Petition has been filed.

4. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

5. The learned Additional Public Prosecutor has also produced the statement given by the petitioner before the second respondent police.

6. On perusal of the statement given by the petitioner shows that the petitioner along with her relatives went to Odissa and met the detainee Nandhini and requested her to come back to home, but she refused to come back and that the third respondent and his parents assured that they will bring her after 10 days, but till date, she has not come back and hence, she gave a complaint before the respondent police.

7. Suppressing all those facts, the present Habeas Corpus Petition has been filed is totally abuse of process of law. Hence, this Habeas Corpus Petition is dismissed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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,
Dindigul District,
Dindigul.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Inspector of Police,
Batlagundu Police Station,
Dindigul District.

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

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NSN (CO)
KB (07.10.2021) 3P 4C