



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

and

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

H.C.P. (MD) .No.1122 of 2020

Pandiselvi

... Petitioner

-vs-

1.The Superintendent of Police,
O/o. Superintendent office campus,
Tuticorin District,
Tuticorin.

2. The Inspector of Police,
Mellur 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, or any other order or direction, more in the form of WRIT, directing the 1st and 2nd respondents herein to secure and produce the petitioner's minor daughter Sangeetha (detenu) aged 17 years before this Hon'ble Court and set his at liberty.

For Petitioner : M/S.U.Maheshwari

For R-1 & R-2 : 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 detenu. Alleging that the petitioner's minor daughter by name Sangeetha, aged about 17 years, was found missing from 18.09.2020, the petitioner said to have given a complaint before the second respondent police on 27.09.2020. Though F.I.R has been registered in Crime No.1942 of 2020, so far no action has been taken by the second respondent police to secure the detenu, hence the present Habeas Corpus Petition has been filed.

2.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 a case in Crime No.1942 of 2020 and the further investigation reveals that the detenu eloped with one Esakkiraja and earlier they are living in Tuticorin District and now both of them gone to Tiruppur. Further the detenu has also become major now and the second respondent police is taking steps to secure the detenu.



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

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

Sd/-

Assistant Registrar (CS-II)

// 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,
O/o. Superintendent office campus,
Tuticorin District,
Tuticorin.

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

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

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