



WEB COPY

H.C.P.(MD) No.1550 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.11.2021

CORAM:

**THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
and
THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN**

H.C.P. (MD) No.1550 of 2021

Ponmani ... Petitioner / Mother of the Detenu
Vs.

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

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

3.Meena ... Respondents

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, to direct the respondents to produce the persons or bodies of the Detenu, namely, minor.Rikash, S/o.Selvam, aged about 6 years and minor.Harish, aged about 4 years before this Court and handed over them to the petitioner's custody.

For Petitioner : Mr.T.Vadivelan

For R1 and R2 : Mr.S.Ravi
Additional Public Prosecutor

O R D E R

S.VAIDYANATHAN, J.

And

DR.G.JAYACHANDRAN, J.

This Habeas Corpus Petition has been filed by the mother alleging that her husband along with two children, aged about 6 years and 4 years respectively, found missing and she suspects that he has eloped with one Meena, a married woman.



2. When the matter is taken up for hearing, the learned Additional Public Prosecutor submits that the children had gone along with the father and regarding the allegation of elopement, a case has been registered in Crime No.458 of 2021 for 'man missing' and 'boy missing', on the file of the Silaiman Police Station, Madurai and the respondent police are investigating the case.

3. Even according to the complaint, it appears that there is no illegal detention of the minor boys and they were taken by their own father.

4. In such circumstances, this Habeas Corpus Petition is not maintainable. The respondent police is directed to pursue the investigation in Crime No.458 of 2021 and if they get any clue about the missing person, the same may be informed to the petitioner herein for further course of action.

5. With this observation, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PJL

To

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

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

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

**H.C.P. (MD) No.1550 of 2021
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tsk(CO)

TR/SKN(25.11.2021) 2P 4C