



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :04.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

and

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

H.C.P. (MD) .No.1164 of 2020

WEB COPY

Athilakshmi

... Petitioner/Mother of the detenue

-vs-

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

2.The Inspector of Police,
Usilampatti Taluk Police Station,
Usilampatti,
Madurai District.

3.The Sub-Inspector of Police,
Uthappanayakkanur 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, directing the respondents 1 to 3 to produce the body or person of the petitioner's daughter namely Sumathi, W/o.Pandi, Female, aged about 30 years, before this Court and set her at liberty.

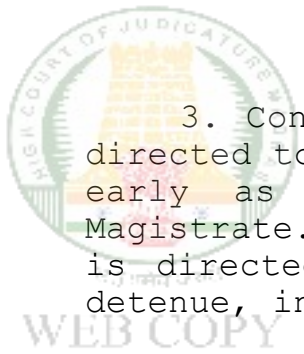
For Petitioner : Mr.R.Shankar Ganesh
For Respondents : Mr.S.Ravi
Standing counsel for the State

O R D E R

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

The petitioner is the mother of the detenue and alleging that the petitioner's daughter by name Sumathi, W/o.Pandi, Female, aged about 30 years, is found missing from 20.07.2020, the petitioner is said to have given a complaint before the third respondent police. Even though an F.I.R has been registered in Crime No.888 of 2020, so far no action has been taken by the third respondent police to secure the detenue. Hence, the present Habeas Corpus Petition has been filed.

2. When the matter is taken up for hearing today, Mr.S.Ravi, learned Standing Counsel appearing for the State, on instructions would submit that the investigation reveals that the detenue left the matrimonial home and eloped with one Subramani and based on the complaint given by the petitioner, a case in Crime No.888 of 2020 has already been registered and the investigation is also in progress.



3. Considering the above facts, the third respondent police is directed to proceed with the investigation and secure the detainee 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-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pm

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,
Madurai District,
Madurai.
- 2.The Inspector of Police,
Usilampatti Taluk Police Station,
Usilampatti,
Madurai District.
- 3.The Sub-Inspector of Police,
Uthappanayakanur Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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