



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.11.2021

CORAM:

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

H.C.P. (MD) No.1625 of 2021

Alagumani

... Petitioner

-vs-

1.The Superintendent of Police
Karur District, Karur

2.The Inspector of Police
Thogamali Police Station
Karur District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 and 2 to produce the body or person of the detainee petitioner's daughter namely Ponnumani, D/o.Alagumani, aged about 19 years, before this Court and set her at liberty.

For Petitioner : Mr.Sarvagan Prabhu.S.

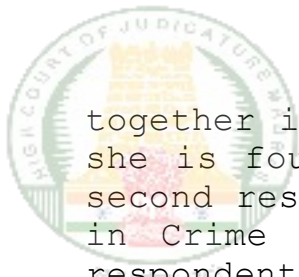
For Respondents : Mr.S.Ravi
Additional Public Prosecutor

O R D E R

S.VAIDYANATHAN, J.
and
DR.G.JAYACHANDRAN, J.

The habeas corpus petition is filed by the mother of one Ponnumani, aged about 19 years, alleging that her daughter is found missing since 19.08.2021 from her matrimonial home.

2. According to the petitioner, her daughter Ponnumani was married to one Sivakumar on 04.06.2021 and they were living



together in Pillaikodangipatti Village. While so, from 19.08.2021 she is found missing and therefore, a complaint was given to the second respondent Police on 26.08.2021 and the same was registered in Crime No.415 of 2021. Suspecting one Karthick, the second respondent Police summoned him and conducted enquiry and found that there is no nexus between the missing girl Ponnumani and Karthick. However, CCTV footage available with the second respondent Police indicates that Ponnumani was travelling in a bike with two unknown persons. It is alleged by the petitioner in the petition that the respondent Police has not so far traced the whereabouts of her daughter Ponnumani based on the CCTV footage.

3. The learned Additional Public Prosecutor appearing for the respondents would submit that the petitioner's daughter Ponnumani is a major. Earlier, she left the matrimonial home on 29.05.2021 and C.S.R.No.123 of 2021 was registered by Thogamalai Police Station. Thereafter, the respondent Police came to know that the missing girl Ponnumani reported before Annavasal Police Station, Pudukkottai District along with one Chithiraiselvan and sought for police protection. Immediately, the petitioner was taken to Annavasal Police Station and the petitioner gave a letter to the Inspector of Police, Thogamalai Police Station, Karur District that having come to know that her daughter Ponnumani, on her own, left the home to marry Chithiraiselvan and now willing to come along with her, she brought her daughter to her home and thereafter, given her married to one Sivakumar. However, within a period of three months, she again left the home.

4. The learned Additional Public Prosecutor submits that so far the investigation reveals that the missing girl Ponnumani earlier married Chithiraiselvan and after coming back to her parental home, she has been forcibly married to one Sivakumar subsequently and being unhappy with that marriage, she has left the home.

5. The learned Additional Public Prosecutor further submits that the respondent Police interrogated Karthick, who is the person sitting in rear side of the bike along with Chithiraiselvan and Ponnumani and according to Karthick, he helped Chithiraiselvan and Ponnumani knowing that Ponnumani has attained majority and she is in love with Chithiraiselvan and the Team constituted to trace the missing girl is under pursuit to trace the missing girl.

6. Recording the above statement of the learned Additional Public Prosecutor, the habeas corpus petition is disposed of with the following directions:

- (i) The respondent Police shall keep surveillance over the said Karthick and also continue their



pursuit to trace the missing girl.

(ii) If any information / clue received, the respondent Police shall intimate the same to the petitioner forthwith and proceed further in accordance with law.

(iii) Equally, the petitioner herein is also obliged to share any information received about the missing girl to the respondent Police to make effective investigation.

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,
Karur District, Karur.

2.The Inspector of Police,
Thogamali Police Station,
Karur District.

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

+1 CC to M/s.S. SARVAGAN PRABHU, Advocate (SR-36173[F] dated 26/11/2021)

H.C.P. (MD) No.1625 of 2021
26.11.2021

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