



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2022

CORAM

THE HONOURABLE MR. JUSTICE P.N.PRAKASH
AND
THE HONOURABLE MR. JUSTICE A.A.NAKKIRAN

H.C.P.NO.635 OF 2022

Rajamani

.. Petitioner

Vs.

1. State of Tamil Nadu represented by
The Superintendent of Police,
Namakkal District, Namakkal.
2. The Inspector of Police,
Nallipalayam Police Station,
Senthamangalam Taluk,
Namakkal District.
3. The Sub-Inspector of Police,
Erumaipatti Police Station,
Senthamangalam Taluk,
Namakkal District.
4. Mohan Raj
S/o.Ayyasamy
Karthigaipatti, Thottiyam Taluk,
Trichy District.

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the 2nd respondent to bodily produce the petitioner's minor daughter S.Soundarya, aged about 17 years, from the illegal detention of the 4th respondent or anyone else, before this Court and hand over custody to the petitioner.

For Petitioner : Mr.W.M.Abdul Majeed

For Respondents : Mr.R.Muniyapparaj
Addl. Public Prosecutor



ORDER
[Made by P.N.PRAKASH, J.]

WEB COPY This habeas corpus petition has been filed seeking a direction to the 2nd respondent to produce the petitioner's minor daughter S.Soundarya, aged about 17 years, from the illegal detention of the 4th respondent or anyone else, before this Court and hand over custody to the petitioner.

2. It is the case of the petitioner that her daughter Soundarya, aged about 17 years, went missing from 10.12.2021 and she is in the illegal custody of Mohan Raj, fourth respondent herein.

3. Today, A.R.Saravanan (Mobile No.94981 69266), Head Constable 253, Erumaipatti Police Station, Senthamangalam Taluk, Namakkal District, is present.

4. On instructions, the learned Additional Public Prosecutor submitted that Soundarya went missing on 05.05.2021, in connection with which, on a complaint given by the petitioner, a case in Erumaipatti Police Station Crime No.257 of 2021 was registered on 06.05.2021 under Section 366 IPC against Mohan Raj and Soundarya was secured by the police and was handed over to the petitioner on 08.05.2021; now again on 10.12.2021, Soundarya has eloped with Mohan Raj.

5. In such view of the matter, we direct the Deputy Superintendent of Police, Namakkal Sub-Division, Namakkal District, to supervise the investigation in Erumaipatti Police Station Crime No.257 of 2021 and keep the petitioner informed of the developments, if any. As and when the detinue Soundarya, aged about 17 years, is secured, she shall be produced before the Judicial Magistrate Court, Senthamangalam Taluk, Namakkal District, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders with regard to custody in accordance with law.

With the above directions, this habeas corpus petition stands closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

nsd



To

1. The Judicial Magistrate,
Senthamangalam Taluk,
Namakkal District.
2. The Superintendent of Police,
Namakkal District, Namakkal.
3. The Deputy Superintendent of Police,
Namakkal Sub-Division,
Namakkal District.
4. The Inspector of Police,
Nallipalayam Police Station,
Senthamangalam Taluk,
Namakkal District.
5. The Sub-Inspector of Police,
Erumaipatti Police Station,
Senthamangalam Taluk,
Namakkal District.
6. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.W.M.Abdul Majeed, Advocate, S.R.No.27574

H.C.P.No.635 of 2022

BS (CO)
PM/06/05/2022