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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.04.2022

Coram

The Honourable Mr. Justice P.N.PRAKASH
and
The Honourable Mr. Justice A.A.NAKKIRAN

H.C.P.No.585 of 2022

S.Roselin Victoria

.. Petitioner

Vs.

1.The Superintendent of Police,
Villupuram District.

2.The Inspector of Police,
Villupuram Town Police Station,
Villupuram District.

3.Paramasivam

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the 2nd respondent to produce the body or person of the petitioner's daughter viz., Angel Theresa, aged 24 years, daughter of Anthuvan Christ Raja (Late), before this Court and set her at liberty.

For Petitioner : Dr.D.Edwin Yovanraj

For RR 1 and 2 : Mr.R.Muniyapparaj,
Addl. Public Prosecutor

ORDER

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

This habeas corpus petition has been filed seeking a direction to the 2nd respondent to produce the body or person of the petitioner's daughter viz., Angel Theresa, aged 24 years, daughter of Anthuvan Christ Raja (Late), before this Court and set her at liberty.



2. It is the case of the petitioner that her daughter Angel Theresa, aged about 24 years, went missing from 10.02.2022 and that the police are not taking effective steps to secure her.

3. Today, S.Bharathidasan (Mobile No.94981 52918), Sub-Inspector of Police, Villupuram Town Police Station, Villupuram District, is present.

4. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Villupuram Town Police Station Crime No.37 of 2022 has been registered on 14.02.2022 for 'woman missing' and during the course of investigation, it came to light that the detainee Angel Theresa was in love with one Paramasivam, third respondent herein and eloped with him.

5. In such view of the matter, we do not find that Angel Theresa is in the illegal custody of the third respondent for the issuance of writ of habeas corpus. That apart, Angel Theresa is not a minor.

In the result, this habeas corpus petition stands closed with a direction to the Deputy Superintendent of Police, Villupuram Sub-Division, Villupuram District, to supervise the investigation in Villupuram Town Police Station Crime No.37 of 2022 and keep the petitioner informed of the developments, if any. As and when the detainee Angel Theresa, aged about 24 years, is secured, she shall be produced before the Judicial Magistrate Court No.I, Villupuram District, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders with regard to custody in accordance with law.

Sd/-

Assistant Registrar(CS-V)

// True Copy //

Sub Assistant Registrar

nsd

To

1.The Judicial Magistrate No.I,
Villupuram District.



2.The Deputy Superintendent of Police,
Villupuram Sub-Division,
Villupuram District.

3.The Superintendent of Police,
Villupuram District.

4.The Inspector of Police,
Villupuram Town Police Station,
Villupuram District.

5.The Public Prosecutor,
High Court, Madras.

+2cc to Dr.D.Edwin Yovanraj, Advocate SR.No.24651

H.C.P.No.585 of 2022

PL(CO)
CB(28/04/2022)