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HCP No.1353 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2022

Coram

The Honourable Mr. Justice **S.VAIDYANATHAN**  
and  
The Honourable Mr. Justice **A.D.JAGADISH CHANDIRA**

H.C.P. No.1353 of 2022

Sivagami

.. Petitioner

Vs.

1.The State represented by  
The Superintendent of Police (South),  
Pondicherry.

2.The Inspector of Police,  
Katterikuppam Police Station,  
Puducherry.

3. Selvam

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the 1<sup>st</sup> and 2<sup>nd</sup> respondent to produce petitioner's daughter Kanimozhi D/o. Lakshmanan, aged 24 years before the Honble Court, and set her at liberty.



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For Petitioner : Mr.S.Kumaran

For Respondents : Mr.V.Balamurugane  
Public Prosecutor (Puducherry)

**ORDER**

**S.VAIDYANATHAN, J.,  
AND  
A.D.JAGADISH CHANDIRA, J.,**

The petitioner / mother has filed this Habeas Corpus Petition seeking production of her daughter Kanimozhi, aged 24 years before this Court.

2. It is the case of the petitioner that her daughter had completed M.B.B.S. and for the past 8 months she has been working in a private medical college and that she used to go to college by bus. It is the further case of the petitioner that the third respondent who is a married man had enticed her daughter and had taken her daughter by force and that her daughter is missing from 14.06.2022. It is the further case that she had lodged a complaint before the respondent police which was registered in Cr. No.36 of 2022 under the caption “Woman missing” on 14.06.2022. Since no action has been taken by the respondent police, the present Habeas Corpus Petition has been filed.



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3. Learned Public Prosecutor (Puducherry), would submit that the alleged detainee is a Doctor by profession and she is aged about 24 years. Based on a complaint given by the petitioner a case in Cr. No.36 of 2022 has been registered by the respondent police. During the course of investigation, it has been found that the petitioner's daughter has voluntarily had gone along with the third respondent. Now the respondent police is taking serious steps to track the petitioner's daughter and the third respondent has been frequently changing his phone numbers making it difficult to trace him. However, the learned Public Prosecutor would submit that the respondent police will take earnest steps to secure the petitioner's daughter.

4. Taking into consideration the facts and circumstances of the case and the submissions made by the parties and also taking into consideration the fact that the respondent police has registered the case for “Woman missing” and continuing with the investigation, this habeas corpus petition stands closed with a direction to the SSBLLO, Puducherry, to supervise the



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investigation in Katterikuppam Police Station, Puducherry with regard to case in Crime No.36/2022 and keep the petitioner informed of the developments, if any. As and when the detenue Kanimozhi D/o. Lakshmanan aged 24 years, is secured, she shall be produced before the Judicial Magistrate Court-IV, Puducherry, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders with regard to custody in accordance with law.

(S.V.N.,J.) (A.D.J.C.,J.)  
22.07.2022

Index: Yes/No

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Copy to :

1. The Superintendent of Police (South),  
Pondicherry.
2. The Inspector of Police,  
Katterikuppam Police Station,  
Puducherry.
3. The Public Prosecutor, Puducherry.



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**S.VAIDYANATHAN, J.,  
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A.D.JAGADISH CHANDIRA, J.,**

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