



WEB COPY



HCP No. 1454 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.08.2022

Coram

The Hon'ble Mr. Justice **S.VAIDYANATHAN**
and

The Hon'ble Mr. Justice **A.D.JAGADISH CHANDIRA**

H.C.P. No. 1454 of 2022

Kumar

.. Petitioner

Vs.

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

2.The Inspector of Police,
Baluchetty Chathiram Police Station,
Baluchetty Chathiram,
Kanchipuram District.

3.Abi @ Aravindan

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of Habeas Corpus directing the 1st and 2nd respondents to produce the body of the petitioner's Daughter Miss Janaki D/o Kumar aged 19 years before this Honble Court from the illegal Custody of the 3rd



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respondent and to the set her at liberty.

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For Petitioner : Mr.K.G.Senthilkumar
For R1 & R2 : Mr.M.Babu Muthumeeran
Addl. Public Prosecutor

ORDER

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

This Habeas Corpus Petition has been filed seeking production of petitioner's daughter Janaki, aged about 19 years, before this Court.

2. The case of the petitioner is that on 24.06.2022 at about 11.00 a.m., the detinue went out and never returned back. Hence, the petitioner and his wife searched her and on enquiry, they came to know that the third respondent herein had kidnapped their daughter. It is stated that on 25.06.2022, the petitioner had lodged a complaint before the second respondent and the same was registered on 27.06.2022 in Cr. No.357 of 2022 under the caption “Women Missing”. Since no action has been taken by the second respondent, the present Habeas Corpus Petition has been filed by the petitioner.



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3. The learned Additional Public Prosecutor appearing for the respondent police would submit that during the course of investigation, it came to light that the petitioner's daughter had eloped with one Arvindan, the third respondent herein, who hails from the same community to which the alleged detainee belongs. He would submit that the third respondent is a drug addict and is also married man and the third respondent's wife had also given a complaint on 04.07.2022 to the Superintendent of Police, Kanchipuram / first respondent and enquiry is being conducted. He would submit that the respondent police are taking their earnest steps to secure the daughter of the petitioner.

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 Deputy Superintendent of Police, Kanchipuram, to supervise the investigation in Baluchetty Chathiram Police Station, Kanchipuram with regard to case in Crime No.357/2022 and keep the



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petitioner informed of the developments, if any. As and when the detenu
Janaki, daughter of the petitioner, aged 19 years, is secured, she shall be
produced before the Judicial Magistrate Court-I, Kanchipuram, 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.)
02.08.2022

Index: Yes/No

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To:

- 1.The Superintendent of Police,
Kanchipuram,
Kanchipuram District.
- 2.The Inspector of Police,
Baluchetty Chathiram Police Station,
Baluchetty Chathiram,
Kanchipuram District.
- 3.The Public Prosecutor,
High Court, Madras.



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