



H.C.P.No.2010 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.10.2022

Coram

The Honourable Mr. Justice **P.N.PRAKASH**
and
The Honourable Mr. Justice **RMT.TEEKAA RAMAN**

H.C.P.No.2010 of 2022

K.Vasuki
W/o.Kaliyamoorthy

.. Petitioner

Vs

1.State represented by
The Superintendent of Police,
Cuddalore District,
Cuddalore - 607 001.

2.State represented by
The Sub-Inspector of Police,
Puduchattiram Police Station,
Puduchattiram, Bhuvanagiri Taluk,
Cuddalore District,
Cuddalore-607 001.

3.S.Manimaran
S/o.Sivalingam

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the second respondent to produce the



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petitioner's daughter Bakkiyalakshmi, aged 25 years, either in person or body, before this Court from the illegal custody of the third respondent and set her at liberty forthwith.

For Petitioner : Mr.V.Kasiviswanathan

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 by the petitioner seeking a direction to the second respondent to produce her daughter Bakkiyalakshmi, aged 25 years, either in person or body, before this Court from the illegal custody of the third respondent and set her at liberty forthwith.

2. It is the case of the petitioner that her daughter Bakkiyalakshmi, aged about 25 years, went missing from 15.06.2022 and that the police are not taking effective steps to secure her.



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3. Today, R.Subramaniyan (Mobile No.89031 91675), Special Sub-

Inspector of Police, Puduchatram Police Station, Cuddalore District, is present.

4. On instructions, the learned Additional Public Prosecutor submitted that Bakkiyalakshmi was married to one Manimaran, third respondent herein; they have two children; they used to quarrel frequently, on account of which, Bakkiyalakshmi would come back to her parental home and thereafter, rejoin her husband; one such quarrel ensued on 27.04.2022, after which, Bakkiyalakshmi came to her parental home; on the intervention of the elders, Bakkiyalakshmi joined Manimaran on 15.06.2022 and on that day also they quarrelled, after which, Bakkiyalakshmi left the house and thereafter, her whereabouts are not known; on a complaint given by Manimaran, a case in Puduchatram Police Station Crime No.352 of 2022 has been registered on 18.06.2022 for 'woman missing' and investigation is in progress; the two children are with Manimaran; the petitioner has also given a complaint and has thereafter, filed the present habeas corpus petition.

5. In such view of the matter, it cannot be stated that



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Bakkiyalakshmi is in illegal custody of the respondents for the issuance of a writ of habeas corpus.

Hence, this habeas corpus petition stands closed with a direction to the Deputy Superintendent of Police, Chidambaram Sub-Division, Cuddalore District, to supervise the investigation in Crime No.352 of 2022 that is being conducted by the Inspector of Police, Puduchatram Police Station and keep the petitioner informed of the developments, if any. As and when the detainee Bakkiyalakshmi, aged about 25 years, is secured, she shall be produced before the District Munsif-cum-Judicial Magistrate Court, Parangipettai, Cuddalore District, under intimation to the petitioner as well Manimaran. On such production, the learned Magistrate may pass appropriate orders with regard to custody in accordance with law.

(P.N.P., J.) (TKRJ)
11.10.2022

Index: Yes/No
nsd



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To

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- 1.The District Munsif-cum-Judicial Magistrate,
Parangipettai, Cuddalore District
- 2.The Superintendent of Police,
Cuddalore District,
Cuddalore - 607 001.
- 3.The Deputy Superintendent of Police,
Chidambaram Sub-Division,
Cuddalore District.
- 4.The Sub-Inspector of Police,
Puduchattiram Police Station,
Puduchattiram, Bhuvanagiri Taluk,
Cuddalore District,
Cuddalore-607 001.
- 5.The Public Prosecutor,
High Court, Madras.



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RMT.TEEKAA RAMAN, J.

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