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H.C.P.No.2213 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2022

Coram

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

H.C.P.No.2213 of 2022

Mageshwari

.. Petitioner

Vs

1.The Commissioner of Police,  
Tambaram City Police,  
Sholinganallur, Chennai.

2.The Inspector of Police,  
Airport Police Station,  
Airport, Chennai.

3.Manikandan

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents to physically bring the body of the petitioner's daughter Vidya, daughter of Raju, aged about 30 years, and minor child Tharun, son of Suresh Pakkrisamy, aged about 6 years, before this Court and set them at liberty.



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For Petitioner : Mr.S.Sivasankar

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 respondents to her daughter Vidya, aged about 30 years and grandson Tharun, son of Suresh Pakkrisamy, aged about 6 years, before this Court and set them at liberty.

2. It is the case of the petitioner that her daughter Vidya was given in marriage to Suresh Pakkrisamy some time in the year 2012 and through the wedlock, she has two children viz. Sai Pranasha and Tharun, aged about 8 and 6 years, respectively; Suresh Pakkrisamy is working in the U.K. London and so, Vidya went along with her children to the U.K. on 07.09.2022, but, returned to India only with the son leaving the daughter behind; she landed in Chennai on 27.10.2022, but, did not come home.



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3. Alleging that the whereabouts of her daughter and grandson are not known, the petitioner has filed the present habeas corpus petition.

4. Today, V.Jayakumar (Mobile No.98407 79717), Sub-Inspector of Police, S-2, Airport Police Station, Airport, Chennai, is present. The police produced Vidya and her son Tharun before this Court. The petitioner and her husband are also present.

5. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Airport Police Station Crime No.64 of 2022 was registered on 04.11.2022 for “woman and boy-missing” and the police secured Vidya and Tharun and produced them before this Court.

6. When we enquired Vidhya, she stated that she is living in her friend's house and is not in the illegal detention of anyone. She further stated that she wants to go with her father Raju, who is also present in the Court.

7. It is seen that the alleged detainee Vidya is not a minor and



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further, she is the natural guardian of her son Tharun and so, we cannot force her to go with anyone.

Recording the same, this habeas corpus petition stands closed with liberty to Vidya to chalk out her own life.

**(P.N.P., J.) (TKRJ)**  
**07.11.2022**

nsd



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To

- 1.The Commissioner of Police,  
Tambaram City Police,  
Sholinganallur,  
Chennai.
- 2.The Inspector of Police,  
Airport Police Station,  
Airport, Chennai.
- 3.The Public Prosecutor,  
Madras High Court,  
Chennai – 600 104.



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**P.N.PRAKASH, J.**  
and  
**RMT.TEEKAA RAMAN, J.**

nsd

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