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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.11.2022

Coram

The Honourable Mr. Justice **P.N.PRAKASH**
and
The Honourable Mr. Justice **SUNDER MOHAN**

H.C.P.No.2352 of 2022

Sangeetha .. Petitioner

Vs

State represented by its

1.The Superintendent of Police,
Salem District.

2.The Inspector of Police,
Deevattipatti Police Station,
Salem District.
(Crime No.455 of 2022)

3.Chinnaraja @ Chinraj

4.Meiyalagan

5.Venkatesan .. Respondents

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

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detenu *viz*. minor Arulmozhi, aged about 17 years, from the illegal custody of the respondents 3 to 5 and produce her before this Court and hand over to the petitioner.

For Petitioner : Mr.R.Nalliyappan

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 herein to secure her daughter Arulmozhi, aged about 17 years, from the illegal custody of the respondents 3 to 5 and produce her before this Court and hand over to her.

2. It is the case of the petitioner that her daughter Arulmozhi, aged about 17 years, went missing from 08.10.2022 and that she is in the illegal custody of the respondents 3 to 5.

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3. Today, R.Palanisamy (Mobile No.94981 68037), Sub-Inspector of Police, Deevattipatti Police Station, Salem District, is present.

4. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by Arumugam, husband of the petitioner, a case in Deevattipatti Police Station Crime No.455 of 2022 has been registered on 09.10.2022 for the offences under Sections 363 and 366 IPC against Chinraj, third respondent herein and during the course of investigation, it came to light that Arulmozhi was in love with Chinraj/R3 and eloped with him. He further submitted that the police are now trying to locate them with Call Detail Records (CDR).

5. In such view of the matter, we direct the Deputy Superintendent of Police, Omalur Sub-Division, Salem District, to supervise in the investigation in Crime No.455 of 2022 that is being conducted by the Inspector of Police, Deevattipatti Police Station, Salem District and keep the petitioner informed of the developments, if any. As and when the detenue Arulmozhi, aged about 17 years, is secured, she shall be produced before the

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Judicial Magistrate Court, Omalur, Salem District, under intimation to the petitioner. On such production, the learned Magistrate may pass appropriate orders with regard to custody in accordance with law.

With the above directions, this habeas corpus petition stands closed.

(P.N.P., J.) (S.M., J.)
21.11.2022

Index: Yes/No
nsd

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To

1.The Judicial Magistrate,
Omalur, Salem District.

2.The Superintendent of Police,
Salem District.

3.The Deputy Superintendent of Police,
Omalur Sub-Division, Salem District.

4.The Inspector of Police,
Deevattipatti Police Station,
Salem District.

5 .The Public Prosecutor,
High Court, Madras.

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P.N.PRAKASH, J.
and
SUNDER MOHAN, J.

nsd

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