



WEB COPY



HCP No.2666 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.12.2022

Coram

**THE HONOURABLE MR. JUSTICE P.N.PRAKASH
and
THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH**

H.C.P.No.2666 of 2022

V.Murugan
S/o.Vediyappan

... Petitioner

Vs.

1.The State represented by
The Superintendent of Police,
Tiruvannamalai.

2.The Inspector of Police,
Kalasapakkam Police Station,
Tiruvannamalai District.

3.Vaseekaran
S/o.Sundaram

4.Sundaram

5.Murugan
S/o.Akathivel

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to
issue a writ of Habeas Corpus seeking a direction to the respondents 1 and 2



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to secure the petitioner's daughter, namely, Swathi, aged about 18 years, who has been illegally detained under the custody of the respondents 3 to 5 herein and produce her before this Court.

For Petitioner : Mr.E.Sathiyaraj

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

[Made by **P.N.PRAKASH, J.**]

This petition has been filed seeking a direction to the respondents 1 and 2 to secure the petitioner's daughter, namely, Swathi, aged about 18 years, who has been illegally detained under the custody of the respondents 3 to 5 herein and produce her before this Court.

2. It is the case of the petitioner that his daughter Swathi, aged about 18 years, went missing from 06.12.2022 and that she is in the illegal custody of respondents 3 to 5.

3. On instructions, learned Additional Public Prosecutor submitted that based on the complaint of the petitioner, a case in Kalasapakkam



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P.S.Crime No.475 of 2022 was registered for "woman missing" on 13.12.2022 and in the course of preliminary investigation, it came to light that Swathi was in love with Vaseekaran [third respondent herein] and appears to have eloped with him. In such view of the matter, it cannot be stated that Swathi is in the illegal custody of respondents 3 to 5.

4. Accordingly, we direct the Deputy Superintendent of Police, Polur Sub Division, to supervise the investigation in Kalasapakkam P.S.Crime No.475 of 2022 and keep the petitioner informed of the developments, if any. As and when the detenue is secured, she shall be produced before the Judicial Magistrate, Kalasapakkam, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders.

With the above direction, this Habeas Corpus Petition is closed.

[PNP, J.] [NAV, J.]
23.12.2022

Index: Yes/No
gm



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P.N.PRAKASH, J.
and
N.ANAND VENKATESH, J.

gm

To

- 1.The Judicial Magistrate,
Kalasapakkam
- 2.The Deputy Superintendent of Police,
Polur Sub Division.
- 3.The Superintendent of Police,
Tiruvannamalai.
- 4.The Inspector of Police,
Kalasapakkam Police Station,
Tiruvannamalai District.
- 5.The Public Prosecutor,
High Court, Madras.

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23.12.2022