



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
and
THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
H.C.P.(MD) No.18 of 2022

Sirajuden

... Petitioner

-VS-

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

2.The Inspector of Police,
Devakottai Town Police Station,
Devakottai,
Sivagangai District.

3.Oliver

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Habeas Corpus, directing the respondents 1 & 2 to produce the body or person of the detainee namely Hasana Begum, daughter of Sirajuden, aged about 21 years now detained by the third respondent herein and set her at liberty.

For Petitioner	:	Mr.T.Palanisamy
For R1 & R2	:	Mr.S.Ravi
		Additional Public Prosecutor

O R D E R

[Order of the Court was made by DR.G.JAYACHANDRAN,J.]

This Habeas Corpus Petition has been filed by the father alleging that the third respondent herein has abducted his 21 years old daughter and kept under illegal custody.

2. The learned Additional Public Prosecutor appearing for the respondents 1 & 2 would states that the complaint given by the petitioner herein has been registered in CSR No.4/2022 and the investigation is under process. He would further states that few days ago, the daughter of the petitioner has contacted the



petitioner over phone and has informed him that she has eloped with third respondent he belongs to different community and if protection is given her, she is ready to come back.

3. The learned Additional Public Prosecutor would further submits that two days back the call track indicates that the daughter of the petitioner and the third respondent had come down to Madurai and they are in and around Madurai. The third respondent has also withdrawn Rs.3,000/- from his account through ATM located at Madurai.

4. In view of the above fact, this Court is of the view that having ensured the life of the daughter of the petitioner, the apprehension regarding the life of the petitioner's daughter has now been dispelled. If the petitioner assures that there will not be any danger to his daughter and the third respondent, she is ready to come back. The second respondent police therefore is directed to call the detinue and the third respondent and recording their statement, dispose of the complaint given by the petitioner registered in CSR No.4/2022 in accordance with law.

5. Recording the same, this Habeas Corpus Petition is disposed of.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

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

2.The Inspector of Police,
Devakottai Town Police Station,
Devakottai,
Sivagangai District.



3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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RD(08.02.2022) 3P 4C