



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

and

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

H.C.P. (MD) No.485 of 2022

M.Mukaiya @ Doss

... Petitioner/
Father of Detenu

Vs.

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

2.The Inspector of Police,
Muthaiyapuram Police Station,
Tuticorin.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Habeas Corpus, directing the respondents 1 and 2 to secure the petitioner's daughter namely, Arumugakani, aged about 33 years, and produce the detenue's body or person before this Court and set her at liberty.

For Petitioner : Mr.KA.Ramakrishnan

For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor

O R D E R

R.SUBRAMANIAN, J.

AND

N.SATHISH KUMAR, J.

The petitioner seeks production of the person of his daughter Arumugakani, aged about 33 years.

2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. According to the petitioner, she is a handicapped woman and she cannot walk. She went missing on 20.03.2022. Complaining inaction on the part of the respondent Police, the petitioner has come up with this Habeas Corpus Petition.



4. Mr.A.Thiruvadikumar, learned Additional Public Prosecutor, upon instructions, would submit that the detainee has taken an auto to Tuticorin Bus stand and from there she boarded into a bus to Madurai. The Police have collected the CCTV footage in the Tuticorin Bus stand showing that the detainee has boarded a bus to Madurai. He would also submit that she has withdrawn a sum of Rs.1,000/- (Rupees One Thousand only) from an ATM on 10.04.2022. The Respondent Police have given a request to the Bank for the location of the ATM.

5. We find that the Police are taking all proper steps to secure the detainee.

6. Considering the fact that she is a major and she has gone on her own, we do not see any case of illegal detention. Therefore, this Habeas Corpus Petition is closed. However, in view of the fact that the detainee is a handicapped woman, we direct the Police to pursue the investigation to its logical conclusion and secure the detainee at the earliest. The Deputy Superintendent of Police, Tuticorin Town, is required to monitor the investigation.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To:

- 1.The Superintendent of Police,
Tuticorin District,
Tuticorin.
- 2.The Inspector of Police,
Muthaiyapuram Police Station,
Tuticorin.
- 3.The Deputy Superintendent of Police,
Tuticorin Town.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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