



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.06.2022

CORAM:

**THE HONOURABLE MR.JUSTICE P.N.PRAKASH
AND
THE HONOURABLE MRS.JUSTICE S.ANANTHI**

H.C.P. (MD) No.609 of 2022

Chithra

... Petitioner/
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-VS-

1. The State rep by
Superintendent of Police,
Ramanathapuram District.
2. The Inspector of Police,
Thiruvadanai Police Station,
Ramanathapuram District.

... 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 produce in person or body of the petitioner's daughter namely "Priyadharshini", aged about 17 years, before this Court and hand over the custody to the petitioner.

For Petitioner : Mr.J.Vishnu

For Respondents : Mr.T.Senthil Kumar,
Additional Public Prosecutor

O R D E R

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

This habeas corpus petition has been filed seeking to direct the respondents 1 and 2 to produce the petitioner's daughter Priyadharshini, aged about 17 years, before this Court and hand over the custody to the petitioner.

2. It is the case of the petitioner that her daughter Priyadharshini, aged about 17 years, went missing from 05.04.2022 and that the police are not taking effective steps to secure her.

3. Today, Mr.P.Srinivsan, Inspector of Police, Thiruvadanai Police Station is present. On instructions, the learned Additional



Public Prosecutor submitted that on a complaint given by the petitioner, a case in Thiruvadanai Police Station Crime No.113 of 2022 was registered on 23.04.2022 under Section 363 IPC against unknown accused. However, while the investigation was pending, the petitioner's daughter Priyadharshini was secured on 24.05.2022 and was handed over to the petitioner.

4. However, learned counsel for the petitioner submitted that Priyadharshini returned home on her own volition on 24.05.2022 and wanted the petitioner to withdraw the police complaint.

5. Since the petitioner was not willing to withdraw the police complaint, Priyadharshini once again went away. Investigation conducted so far reveals that Priyadharshini was in love with one Saravanan and appears to have eloped with him.

6. In such view of the matter, it cannot be stated that Priyadharshini is in the illegal custody of the respondents herein for the issuance of writ of habeas corpus.

7. In the result, this petition is closed with a direction to the Deputy Superintendent of Police, Thiruvadanai, to supervise the investigation in Thiruvadanai Police Station Crime No.113 of 2022 and keep the petitioner informed of the developments, if any. As and when the petitioner's daughter Priyadharshini, aged about 17 years, is secured, she shall be produced before the Judicial Magistrate Court, Thiruvadanai, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders with regard to custody of Priyadharshini in accordance with law.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To:

1. The Judicial Magistrate Court, Thiruvadanai,
2. The Superintendent of Police,
Ramanathapuram District.
3. The Inspector of Police,
Thiruvadanai Police Station,
Ramanathapuram District.



4. The Deputy Superintendent of Police,
Thiruvadanai, Ramanathapuram District.
5. The Judicial Magistrate,
Thiruvadanai, Ramanathapuram District.
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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