



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 13.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

H.C.P.[MD]No.716 of 2022

WEB COPY

Kamatchi : Petitioner/Mother of the Detenue

Vs.

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

2.The Inspector of Police,
Gandarvakkottai Police Station,
Pudukottai District.

3.Malaiyappan : Respondents

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the person or body of the petitioner's daughter by name Pavunammal D/o.Vellaisamy, Female aged 17 years, the detenu in the present case before this Court and consequently hand over the custody of the detenu to the petitioner.

For Petitioner : Mr.M.Pitchai Muthu

For Respondents 1&2 : Mr.S.Ravi
Additional Public Prosecutor

O R D E R

[Order of the Court was made by **P.N.PRAKASH, J.**]

It is the case of the petitioner that her daughter Pavunammal, aged about 17 years went missing from 03.02.2022 and that the police are not taking effective steps to secure her. Hence, the petitioner has filed the present Habeas Corpus Petition with the above prayer.

2.Heard Mr.M.Pitchai Muthu, learned Counsel appearing for the writ petitioner and Mr.S.Ravi, learned Additional Public Prosecutor who accepts notice on behalf of the respondents 1 and 2.



3.Today, Mr.C.Baskaran (Mobile No.9498165934), Sub-Inspector of Police, Gandarvakkottai Police Station, Pudukottai District, is present before this Court.

4.On instructions, learned Additional Public Prosecutor submitted that on the complaint given by the petitioner, a case in Gandarvakkottai Police Station in Crime No.37 of 2022 has been registered on 07.02.2022 for 'girl missing' and during the course of investigation, it came to light that Pavunammal appears to have fallen in love with Malaiyappan [third respondent] and eloped with him.

5.In such view of the matter, it cannot be stated that Pavunammal is in the illegal custody of the third respondent herein for the issuance of a Writ of Habeas Corpus. However, we direct the Deputy Superintendent of Police, Pudukottai, to supervise the investigation conducted by the Inspector of Police, Gandarvakkottai Police Station in Crime No.37 of 2022 and keep the petitioner informed of the developments, if any. As and when the detenu Pavunammal, aged about 17 years, is secured, she shall be produced before the learned District Munsif cum Judicial Magistrate, Gandarvakkottai, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders with regard to the custody in accordance with law.

6.Accordingly, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (Admin I)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

MR

To

1.The District Munsif cum Judicial Magistrate,
Gandarvakkottai.

2.The Superintendent of Police,
Pudukottai District,
Pudukottai.

3.The Deputy Superintendent of Police,
Pudukottai District,
Pudukottai.

4.The Inspector of Police,
Gandarvakkottai Police Station,
Pudukottai District.

<https://hcservices.ecourts.gov.in/hcservices/>



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

H.C.P.[MD]No.716 of 2022
13.06.2022

WEB COPY

MGJ(23.06.2022) 3P 6C