



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.06.2022

CORAM:

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

H.C.P. (MD) No.727 of 2022

Masilamani Nova ... Petitioner/Father of the detenu
Vs.

1. The Superintendent of Police,
Dindigul District,
Dindigul.
2. The Inspector of Police,
Dindigul Town South Police Station,
Dindigul,
Dindigul District. ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus to direct the respondents herein to produce the detenu /petitioner's daughter namely, Rethchia, aged about 17 years, before this Court and hand over the custody to the petitioner.

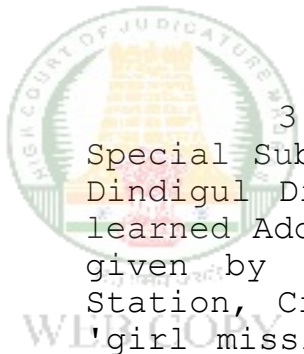
For Petitioner	: Mr.G.Gomathi Sankar
For Respondents	: Mr.T.Senthil Kumar, Additional Public Prosecutor

O R D E R

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

This Habeas Corpus Petition has been filed seeking to direct the respondents to produce the person or body of the petitioner's daughter namely, Rethchia, aged about 17 years, before this Court and hand over the custody of the detenu to the petitioner.

2. It is the case of the petitioner that his daughter, Rethchia, aged about 17 years, went missing from 18.04.2022 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.



3. Today, Mr.Venkatakrishnan (Mobile No.8300002688), Special Sub Inspector of Police, Dindigul Town South Police Station, Dindigul District, is present before this Court. On instructions, learned Additional Public Prosecutor submitted that on the complaint given by the petitioner, a case in Dindigul Town South Police Station, Crime No.88 of 2022 has been registered on 18.04.2022 for 'girl missing' and during the course of investigation, it came to light that Rethchia had developed friendship with some persons in instagram and left the home after leaving a note stating that she is not happy with the marriage proposal that has been brought by her parents and that she is in love with a person and wants to marry him. She has further stated in the note that if any attempt is made to secure her, she would commit suicide.

4. In such view of the matter, it cannot be stated that Rethchia, is in the illegal custody for the issuance of a Writ of Habeas Corpus. However, we direct the Deputy Superintendent of Police, Dindigul Town, to supervise the investigation in Dindigul Town South Police Station Crime No.88 of 2022 and keep the petitioner informed of the developments, if any. As and when the detenu Rethchia, aged about 17 years, is secured, she shall be produced before the Additional Mahila Court (Magisterial Level), Dindigul, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders with regard to the custody in accordance with law.

5. Hence, this habeas corpus petition stands closed.

Sd/-

Assistant Registrar(RTI)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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Copy to :

1. The Additional Mahila Court (Magisterial Level),
Dindigul,
2. The Deputy Superintendent of Police,
Dindigul Town,
3. The Superintendent of Police,
Dindigul District,
Dindigul.



4. The Inspector of Police,
Dindigul Town South Police Station,
Dindigul,
Dindigul District.

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

+1 CC to M/s.G.GOMATHISANKAR, Advocate (SR-24922[F] dated
09/06/2022)

H.C.P. (MD) No.727 of 2022
09.06.2022

IM(CO)
KB(17.06.2022) 3P 7C