



H.C.P.(MD)No.770 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

AND

THE HONOURABLE MRS. JUSTICE S.ANANTHI

H.C.P.(MD)No.770 of 2022

G.Thangapandi

: Petitioner

Vs.

1.The Commissioner of Police,
O/o. the Commissioner of Police,
Madurai.

2.The Assistant Commissioner of Police,
O/o. the Assistant Commissioner of Police,
Thilagarthidal, Madurai.

3.The Inspector of Police,
C5 Karimedu Police station,
Madurai

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, to direct the respondents to produce the body or person of the detainee, the petitioner's wife named Nagajothi, D/o.Veluchamy aged about 19 years before this Court and set her at liberty.



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For Petitioner : Mr.R.Senthilkumar
For Respondents : Mr.T.Senthilkumar
Additional Public Prosecutor

ORDER

(Order of the Court was made by P.N.PRAKASH, J.)

It is the case of the petitioner that his wife Nagajothi went missing from 25.04.2022 and that police are not taking effective steps to secure her.

2.Today, Mr.M.Mohammed Idiris, Inspector of Police, Karimedu Police Station, Madurai is present.

3.On instructions, the learned Additional Public Prosecutor submitted that Nagajothi is the daughter of one Veluchamy; Nagajothi developed intimacy with a transgender by name Revathi @ Maja and eloped with her sometime in January '2022; in that connection, a complaint was given by Veluchamy, based on which, a petition enquiry in Teppakulam Police Station CSR No.14/2022 was registered and Nagajothi was traced in



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Tiruppur along with the said Revathi @ Maja. However, Nagajothi refused to return home. But her parents secured, brought her home and got her married to the petitioner on 11.02.2022. Thereafter, again Nagajothi appears to have eloped with the said Revathi @ Maja. In this connection, on the complaint given by the petitioner, a case in Karimedu Police Station Crime No.324/2022 has been registered on 25.04.2022 for woman missing and investigation is in progress.

4. The learned Additional Public Prosecutor further submitted that Nagajothi is scared to come to Madurai, as she apprehends that the petitioner and her parents would harm her. However, the learned counsel for the petitioner submitted that no harm would befall Nagajothi, if she is brought to Madurai. Be that as it may, Nagajothi is not a minor, but is a woman, who is 19 years old. It is not the case of the petitioner that Nagajothi is in the illegal custody of the respondents herein for the issuance of a writ of Habeas Corpus. Hence, this petition is closed with a direction to the Assistant Commissioner of Police, Thilagar Thidal to supervise the investigation in Karimedu Police Station Crime No.324/2022 and keep the



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petitioner informed of the developments, if any. As and when Nagajothi is secured, she shall be produced before the Judicial Magistrate, No.V, Madurai under intimation to the petitioner and the learned Judicial Magistrate shall pass appropriate orders with regard to her custody.

[P.N.P., J.] & [S.A.I., J.]

08.06.2022

Index : Yes/No

Internet : Yes

RR

To

1.The Judicial Magistrate, No.V
Madurai.

2.The Commissioner of Police,
O/o. the Commissioner of Police,
Madurai.

3.The Assistant Commissioner of Police,
O/o. the Assistant Commissioner of Police,
Thilagarthidal, Madurai.

3.The Inspector of Police,
C5 Karimedu Police station
Madurai.

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

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P.N.PRAKASH J

AND

S.ANANTHI, J

RR

Order made in
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