



WEB COPY

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.845 of 2022

Janaki

... Petitioner/Mother of Detenu

-vs-

1. The Superintendent of Police,  
Ramanathapuram District.

2. The Inspector of Police,  
Kamuthi Police Station,  
Ramanathapuram District.

3. Poramar

... 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 herein to secure and produce the body or person of the detenu by namely Muthumari, D/o. Murugan, aged about 21 years, who was illegally detained by the third respondent before this Court and set her at liberty.

For Petitioner : Mr.C.Senthil Murugan

For Respondents : Mr.T.Senthil Kumar,  
Additional Public Prosecutor  
for R1 and R2

**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 Muthumari, aged about 21 years, who is illegally detained by the third respondent, before this Court and set her at liberty.

2. It is the case of the petitioner that her daughter Muthumari, aged about 21 years, went missing from 26.04.2022 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, A.Pandian, Sub-Inspector of Police, Sayalkudi Police Station, is present. On instructions, the learned Additional Public Prosecutor submitted that Muthumari was in love with one Poramar (third respondent herein) and eloped with him earlier on 01.04.2022, in connection with which, on the complaint given by Murugan (husband of the petitioner and father of Muthumari), a case in Kamuthi Police Station Crime No.152 of 2022 has been registered on 03.04.2022 for 'woman missing'. Murugan filed H.C.P(MD) No.550 of 2022 for the production of his daughter Muthumari, which was withdrawn on 12.04.2022 as follows:-

*"The learned counsel for the petitioner would submit that the detinue has been secured. Hence, he seeks permission of this Court to withdraw the Habeas Corpus Petition and he has also made an endorsement to that effect.*

*2. In view of the above submission and endorsement made, this Habeas Corpus Petition is dismissed as withdrawn."*

4. Now again, Muthumari has eloped with Poramar and after giving a complaint, the present habeas corpus petition has been filed.

5. Learned Additional Public Prosecutor submitted that Muthumari has once again eloped with Poramar.

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

7. Hence, this habeas corpus petition stands closed.

Sd/-

Assistant Registrar (CS I)

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/06/2022

Sub Assistant Registrar(CS)

pkn

To:

1. The Superintendent of Police,  
Ramanathapuram District.



2. The Inspector of Police,  
Kamuthi Police Station,  
Ramanathapuram District.

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

**H.C.P. (MD) No.845 of 2022**  
**13.06.2022**

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