



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.905 of 2022

Muthukumar

... Petitioner

Vs.

1. The Commissioner of Police,
Office of the Commissioner of Police,
Madurai.

2. The Inspector of Police,
K.Pudhur Police Station,
Madurai.

3.Mano

4.Jothi

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus to direct the respondents to produce the person or body of the petitioner's minor daughter by name Meena, D/o.Muthukumar, aged 16 years, before this Court and hand over the custody of the detenu to the petitioner.

For Petitioner : Mr.R.Alagumani

For Respondents 1 & 2 : 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 minor daughter, namely, Meena, aged about 16 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, Meena, aged about 16 years, went missing from 31.05.2022 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.

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3. Today, Mr.N.Durai Pandian (Mobile No.8300006285), Inspector of Police, K.Pudur Police Station, Madurai City, is present before this Court. On instructions, the learned Additional Public Prosecutor submitted that on the complaint given by the petitioner, a case in K.Pudur Police Station Crime No.177 of 2022 has been registered on 01.06.2022 for 'girl missing' and during the course of investigation, it came to light that Meena had left with one Mano, third respondent herein and investigation is in process. Enquiry conducted by the respondent Police revealed that Meena and Mano are not available in the house of Mano, which is within the limits of the second respondent Police Station.

4. In such view of the matter, it cannot be stated that Meena is in the illegal custody of the respondents 1 and 2 herein for the issuance of a Writ of Habeas Corpus. However, we direct the Assistant Commissioner of Police, Anna Nagar, Madurai, to supervise the investigation in K.Pudhur Police Station Crime No.177 of 2022 and keep the petitioner informed of the developments, if any. As and when the detenu Meena, aged about 16 years, is secured, she shall be produced before the Judicial Magistrate Court No.VI, Madurai, 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 (CS III)

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/ /2022

Sub Assistant Registrar(CS)

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Copy to :

1. The Judicial Magistrate No.VI,
Madurai.

2. The Assistant Commissioner of Police,
Anna Nagar, Madurai.

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



3. The Commissioner of Police,
Office of the Commissioner of Police,
Madurai.

4. The Inspector of Police,
K.Pudhur Police Station,
Madurai.

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

H.C.P. (MD) No.905 of 2022
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