



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.925 of 2022

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V.Veera Chinnammal : Petitioner/Mother of Detenue

Vs.

1.The Superintendent of Police,
O/o. The Superintendent of Police,
Dindigul District.

2.The Inspector of Police,
Nilakottai Police Station,
Dindigul District.

3.Tamil Selvi : 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 namely P.Vasanthi (25/22) W/o.Pandiyarajan and set at her liberty.

For Petitioner : Mr.I.Pinaygash
For Respondents 1&2 : Mr.T.Senthil Kumar
Additional Public Prosecutor

O R D E R

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

Alleging that her daughter Vasanthi is in the illegal custody of the third respondent, the present Habeas Corpus Petition has been filed based on a representation dated 07.06.2022.

2.Heard Mr.I.Pinaygash, learned Counsel appearing for the writ petitioner and Mr.T.Senthil Kumar, learned Additional Public Prosecutor who accepts notice on behalf of the respondents 1 and 2.

3.On a complete reading of the papers, we find that Vasanthi was married to one Pandiyarajan and has two children through him. It appears that Pandiyarajan died some time in the year 2016. Vasanthi appears to have gone missing from her mother-in-law's house [third respondent's house] from 19.09.2021, in connection with which, on a



complaint given by the third respondent, a case in Nilakkottai Police Station has been registered in Crime No.698 of 2021 on 20.09.2021 for 'women missing'. However, in the complaint given by the petitioner, a new case has been set up alleging that Vasanthi went missing on 24.09.2021.

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4.Be that as it may, according to the learned Counsel for the petitioner, Vasanthi has not been traced. However, on facts, it cannot be stated that Vasanthi is in the illegal custody of the third respondent for the issuance of a Writ of Habeas Corpus. However, we direct the Deputy Superintendent of Police, Nilakottai, to supervise the investigation that is being conducted by the Inspector of Police, Nilakottai Police Station in Crime No.698 of 2021 and keep the petitioner as well as the third respondent informed of the developments, if any. As and when the detenu Vasanthi, aged about 25 years, is secured, she shall be produced before the Judicial Magistrate, Nilakottai, under intimation to the petitioner as well as the third respondent. On such production, the learned Magistrate shall pass appropriate orders with regard to the custody in accordance with law.

5.Accordingly, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

To

- 1.The Judicial Magistrate,
Nilakottai.
- 2.The Superintendent of Police,
O/o. The Superintendent of Police,
Dindigul District.
- 3.The Deputy Superintendent of Police,
Nilakottai.
- 4.The Inspector of Police,
Nilakottai Police Station,
Dindigul District.

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

+1 CC to M/s.I. PINAYGASH, Advocate (SR-25652[F] dated 14/06/2022)

ORDER MADE IN
H.C.P. [MD]No.925 of 2022
13.06.2022

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