



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

H.C.P. (MD) No.936 of 2022

Siva Shanmugam

... Petitioner

Vs.

1. The Superintendent of Police,
Pudukottai District,
Pudukottai.

2. The Inspector of Police,
Aranthangi Police Station,
Pudukottai District.

3. Abdul Hakkim

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus to direct the respondents 1 and 2 to secure and produce the body or person of the detenu Yogeswari D/o.Siva Shanmugam, aged 22 years, from the illegal custody of the third respondent and produce her before this Court and set her at liberty.

For Petitioner : Mr.T.Lenin Kumar

For Respondents 1 & 2 : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

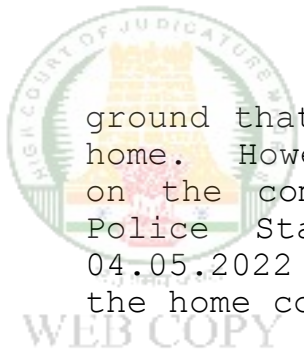
O R D E R

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

Alleging that the detenu Yogeswari, is in illegal custody of the respondents, the present Habeas Corpus Petition has been filed seeking to direct the respondents to produce the person or body of the petitioner's daughter, namely, Yogeswari, aged about 22 years, before this Court and set her at liberty.

2. Today, Mr.A.Veeramuthu (Mobile No.9498160411), Sub-Inspector of Police, Aranthangi Police Station, Pudukottai District, is present before this Court.

3. When the matter is taken up for hearing, Mr.T.Lenin Kumar, learned counsel appearing for the petitioner seeks permission of this Court to withdraw this Habeas Corpus Petition, on the



ground that the detenu Yogeswari, aged about 22 years, has returned home. However, learned Additional Public Prosecutor submitted that on the complaint given by the petitioner, a case in Aranthangi Police Station Crime No.251 of 2022 has been registered on 04.05.2022 for 'woman missing' and that the police are not aware of the home coming of Yogeswari.

4. In view of the same, it cannot be stated that Yogeswari is in the illegal custody of the respondents herein for the issuance of a Writ of Habeas Corpus. However, since FIR has been registered, the Police may produce the detenu Yogeswari before the learned Judicial Magistrate Court, Aranthangi. On such production, the learned Magistrate shall pass appropriate orders with regard to the custody in accordance with law and thereafter, FIR could be closed.

5. Hence, this habeas corpus petition stands closed.

Sd/-

Assistant Registrar (A.D.II)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

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To :

1. The Judicial Magistrate,
Aranthangi.
2. The Superintendent of Police,
Pudukottai District,
Pudukottai.
3. The Inspector of Police,
Aranthangi Police Station,
Pudukottai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.T. LENIN KUMAR, Advocate (SR-26021[F] dated 16/06/2022)

H.C.P. (MD) No.936 of 2022

14.06.2022

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