



H.C.P.(MD)No.953 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

and

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

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Saraswathi

.. Petitioner/Mother of the
Detenu

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram District.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Ramanathapuram Town,
Ramanathapuram District.

3.The Inspector of Police,
Devipattinam Police Station,
Ramanathapuram District.

4.Paramasivam

.. Respondents



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PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, to direct the Respondents 1 to 3 to produce the person or body of the Petitioner's daughter, by name, Thenmozhi, daughter of Duraisamy, aged about 19 years, before this Court and set her at liberty.

For Petitioner : Mr.R.Alagumani

For Respondents : 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 the petitioner's daughter, Thenmozhi, aged about 19 years, went missing from 10.06.2022 and that the police are not taking effective steps to secure her, the petitioner has filed the present Habeas Corpus Petition with the above prayer.

2. Heard Mr.R.Alagumani, learned Counsel appearing for the petitioner and Mr.T.Senthil Kumar, learned Additional Public Prosecutor, who accepts notice on behalf of the respondents 1 to 3.

3. On instructions, the learned Additional Public



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Prosecutor submitted that on the complaint given by the petitioner, a case, in Devipattinam Police Station, in Crime No.126 of 2022 has been registered on 11.06.2022 for 'woman missing' and during the course of investigation, it came to light that Thenmozhi was in love with the fourth respondent and had eloped with him.

4. In such view of the matter, it cannot be stated that Thenmozhi is in the illegal custody of the fourth respondent. However, we direct the Deputy Superintendent of Police, second respondent, Ramanathapuram Town to supervise the investigation that is being conducted by the Inspector of Police, Devipattinam Police Station in Crime No.126 of 2022 and keep the petitioner informed of the developments, if any. As and when the detenu Thenmozhi, aged 19 years, is secured, she shall be produced before the learned Judicial Magistrate No.I, Ramanathapuram 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. Accordingly, this Habeas Corpus Petition is closed.



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[P.N.P.J.] & [R.H.J.]

17.06.2022

Index : Yes/No

Internet : Yes/No

PJL

To

1.The Judicial Magistrate No.I,
Ramanathapuram.

2.The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram District.

3.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Ramanathapuram Town,
Ramanathapuram District.

4.The Inspector of Police,
Devipattinam Police Station,
Ramanathapuram District.

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



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P.N.PRAKASH, J.
and
R.HEMALATHA, J.

PJL

ORDER MADE IN
H.C.P.(MD)No.953 of 2022

17.06.2022