



H.C.P.(MD)No.1014 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

and

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

H.C.P.(MD)No.1014 of 2022

Stephen

: Petitioner

Vs.

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

2.The Inspector of Police,
Mukkodal Police Station,
Tirunelveli District.

3.Arockiyam

4.Mary

5.David

: Respondents

PRAYER: Habeas Corpus Petition filed under Article 226 of the
Constitution of India, praying to issue a Writ of Habeas Corpus,



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directing the first and second respondents to produce the body or person of the minor detenu namely Sahaya Selciya [aged 17 years] D/o.Stephen of Singamparai, Mukkoodal via Cheranmahadevi Taluk, Tirunelveli District from the illegal detention of the respondents 3 to 5 and set her at liberty before this Court.

For Petitioner : Mr.S.R.Anbarasu

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.]

It is the case of the petitioner that his daughter Sahaya Selciya, aged about 17 years went missing from 10.06.2022 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.

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



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3.Today, Mr.P.Sudalaipandi [Mobile No.9498193129] Sub-Inspector of Police, Mukkodai Police Station, Tirunelveli District, is present before this Court.

4.On instructions, learned Additional Public Prosecutor submitted that on the complaint given by the petitioner, a case in Mukkodai Police Station in Crime No.60 of 2022 has been registered on 10.06.2022 for the offence under Section 363 I.P.C., and during the course of investigation, it came to light that Sahaya Selciya appears to have fallen in love with one David, S/o. Arockiyam and eloped with him.

5.Be that as it may, the fact remains that Sahaya Selciya is not in the illegal custody of the respondents for the issuance of a Writ of Habeas Corpus. However, we direct the Deputy Superintendent of Police, Cheranmahadevi, Tirunelveli District, to supervise the investigation conducted by the Inspector of Police, Mukkodai Police Station in Crime No.60 of 2022 and keep the petitioner informed of the developments, if any. As and when the detenu Sahaya Selciya, aged about 17 years, is secured, she shall be produced before the learned Judicial Magistrate I,



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Cheranmahadevi, Tirunelveli District, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders with regard to the custody in accordance with law.

6.Accordingly, this Habeas Corpus Petition is dismissed.

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

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Index : Yes/No

Internet : Yes/No

MR



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To

- 1.The Judicial Magistrate I,
Cheranmahadevi,
Tirunelveli District.
- 2.The Superintendent of Police,
Tirunelveli,
Tirunelveli District.
- 3.The Deputy Superintendent of Police,
Cheranmahadevi,
Tirunelveli District
- 4.The Inspector of Police,
Mukkodal Police Station,
Tirunelveli 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.

MR

ORDER MADE IN
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24.06.2022