



H.C.P.(MD)No.1075 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

H.C.P.(MD)No.1075 of 2022

Pathirakali

: Petitioner

Vs.

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

2.The Inspector of Police,
Sipcot Police Station,
Thoothukudi.

3.Selvasekar

: 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 to 2 to secure and produce the body or



H.C.P.(MD)No.1075 of 2022

person of the detenu namely Leelavathi (the petitioner's daughter)
W/o. Selvasekar, aged about 34 years and produce before this
Court and set her at liberty.

For Petitioner : Mr.M.Mano Kumar
For Respondents 1&2 : Mr.T.Senthil Kumar
Additional Public Prosecutor

O R D E R

[Order of the Court was made by R.VIJAYAKUMAR, J.]

It is the case of the petitioner that her daughter Leelavathi was given in marriage to one Selvasekar [third respondent herein] through whom she has two children. According to the petitioner, her daughter Leelavathi went missing from 07.05.2022, leaving the two children with her husband and that her whereabouts are not known.

2.Today, Mr.A.Yacobu [Mobile No. 9498194473], Special Sub-Inspector of Police, Sipcot Police Station, Thoothukudi District is present before this Court.

3.On instructions, learned Additional Public Prosecutor submitted that on a complaint given by Selvasekar on 10.05.2022, a case in Sipcot Police Station in Crime No.177 of 2022 has been



H.C.P.(MD)No.1075 of 2022

registered for 'woman missing' and that the investigation is in progress.

4.Since Leelavathi is not in the illegal custody of anyone, no Writ of Habeas Corpus can be issued. However, we direct the Deputy Superintendent of Police, Thoothukudi Rural Division, Thoothukudi District, to supervise the investigation that is being conducted by the Inspector of Police, Sipcot Police Station, Thoothukudi, in Crime No.177 of 2022 and keep the petitioner and Selvasekar informed of the developments, if any. As and when the detainee Leelavathi aged about 34 years is secured, she shall be produced before the learned Judicial Magistrate III, Thoothukudi, under intimation to the petitioner and Selvasekar. 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.

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

01.07.2022

Index : Yes/No

Internet : Yes/No

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H.C.P.(MD)No.1075 of 2022

To

- 1.The Judicial Magistrate III,
Thoothukudi.
- 2.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
- 3.The Deputy Superintendent of Police,
Thoothukudi Rural Division,
Thoothukudi.
- 4.The Inspector of Police,
Sipcot Police Station,
Thoothukudi.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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H.C.P.(MD)No.1075 of 2022

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

MR

ORDER MADE IN
H.C.P.(MD)No.1075 of 2022

01.07.2022