



H.C.P.(MD)No.1072 of 2022

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.1072 of 2022

Rajendran

: Petitioner

Vs.

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Devakottai, Sivagangai District.
- 3.The Inspector of Police,
Kallal Police Station,
Sivagangai District.
- 4.The Inspector of Police,
Karur Police Station,
Audaiyar Kovil (Taluk),
Pudukottai District.



5.Siva

: Respondents

For Petitioner : Mr.K.M.Karunakaran

For Respondents 1 to 4 : Mr.T.Senthil Kumar

Additional Public Prosecutor

ORDER

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

It is the case of the petitioner that his daughter Devika was given in marriage to one Dharmaraj, through whom she has a daughter Devadharsini, who is 9 years old. It is the further case of the petitioner that his daughter and granddaughter went missing from 10.06.2022 and that the police are not taking effective steps to secure them.



H.C.P.(MD)No.1072 of 2022

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2. Heard Mr.K.M.Karunakaran, 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 4.

3. Today, Mr.G.Prabakaran [Mobile No.6382736710] Sub-Inspector of Police, Kallal Police Station, Sivagangai District, is present before this Court.

4. On instructions, learned Additional Public Prosecutor submitted that on the complaint given by Dharmaraj, a case in Kallal Police Station, Sivagangai in Crime No.91 of 2022 has been registered on 16.06.2022 for 'women and girl missing'. During the course of investigation, it came to light that Devika developed intimacy with one Siva [fifth respondent herein] and appears to have eloped with him.

5. In such view of the matter, it cannot be stated that Devika and her daughter Devadharsini are in the illegal custody of the respondents for the issuance of a Writ of Habeas Corpus. However, this Court directs the Deputy Superintendent of Police, Devakottai Sub Division, Sivagangai District, to supervise the investigation that is being conducted by the Inspector of Police,



H.C.P.(MD)No.1072 of 2022

Kallal Police Station, Sivagangai, in Crime No.91 of 2022 and keep the petitioner and Dharmaraj informed of the developments, if any.

As and when the detenue Devika aged about 28 years and Devadharsini aged about 9 years are secured, they shall be produced before the learned Judicial Magistrate, Karaikudi, under intimation to the petitioner and Dharmaraj. 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 closed.

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

01.07.2022

Index : Yes/No

Internet : Yes/No

MR



H.C.P.(MD)No.1072 of 2022

WEB COPY

To

- 1.The Judicial Magistrate,
Karaikudi,
Sivagangai District.
- 2.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District.
- 3.The Deputy Superintendent of Police,
Devakottai Sub Division,
Sivagangai District.
- 4.The Inspector of Police,
Kallal Police Station,
Sivagangai District.
- 5.The Inspector of Police,
Karur Police Station,
Aaudaiyar Kovil (Taluk),
Pudukottai District.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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H.C.P.(MD)No.1072 of 2022

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

MR

ORDER MADE IN
H.C.P.(MD)No.1072 of 2022

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