



H.C.P.(MD) No.1152 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.07.2022

CORAM:

**THE HONOURABLE MR.JUSTICE P.N.PRAKASH
AND
THE HONOURABLE MRS.JUSTICE R.HEMALATHA**

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Nagarani

... Petitioner

-VS-

1. The Commissioner of Police,
Trichy City, Trichy.

2. State rep. by its,
The Inspector of Police,
Srirangam Police Station,
Trichy District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents to produce the body or person of the detainee namely Sanjana D/o. Arunraja, aged about 15 years, before this Court and hand over the custody to the petitioner.



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For Petitioner : Mr.V.Illanchezian

For Respondents : Mr.T.Senthil Kumar,
Additional Public Prosecutor

ORDER

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

This habeas corpus petition has been filed seeking to direct the respondents to produce the body or person of the petitioner's daughter / detenue *viz.*, Sanjana, aged about 15 years, before this Court and hand over the custody to the petitioner.

2. It is the case of the petitioner that her daughter Sanjana, aged about 15 years, went missing from 12.06.2022 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.

3. Today, Mr.P.Srinivasa, Sub-Inspector of Police (94981 56798), Srirangam Police Station, is present. On instructions, the learned Additional Public Prosecutor submitted that, on a complaint given by the petitioner, a case in Srirangam Police Station Crime No.738 of 2022 has been registered for 'girl



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missing' and during the course of investigation, it came to light that Sanjana was in love with one A.Parthasarathy @ Bharath and has eloped with him.

4. Learned Additional Public Prosecutor also brought to our notice that, one M.Arumugam, father of the said A.Parthasarathy @ Bharath, had earlier filed a habeas corpus petition in H.C.P.(MD) No.1022 of 2022, in which, this Court has passed the following order on 24.06.2022:-

“4.On instructions, learned Additional Public Prosecutor submitted that the petitioner's son Parthasarathy has eloped with a girl by name Sanjana who is 15 years old, in connection with which, on the complaint given by Nagarani, the mother of Sanjana, a case in Srirangam Police Station in Crime No.738 of 2022 has been registered for 'woman missing' and when the police were looking out for Parthasarathy, the present Habeas Corpus Petition is filed.

5.In such view of the matter, it cannot be stated that Parthasarathy is in the illegal custody of the respondents herein for the issuance of a Writ of Habeas Corpus.

6.Recording the same, this Habeas Corpus Petition is closed.”



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4. The Munsif cum Judicial Magistrate,
Srirangam, Tiruchirappalli,.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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

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