



H.C.P.(MD)No.1187 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

and

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

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Velusamy

: Petitioner

Vs.

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

2.The Sub Inspector of Police,
Karaiyur Police Station,
Pudukkottai District.

3.Ponnuthurai

: Respondents

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the second respondent to produce the person or body of the petitioner's daughter Bavani daughter of Velusamy aged about 19 years before this Court and set her at liberty.



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For Petitioner : Mr.NA.Palaniyandi
For Respondents 1&2 : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

[Made by **R.HEMALATHA, J.**]

It is the case of the petitioner that his daughter Bavani, aged about 19 years went missing from 22.06.2022 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.NA.Palaniyandi, 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.

3. On instructions, learned Additional Public Prosecutor submitted that on the complaint given by the petitioner, a case in Karaiyur Police Station, in Crime No.103 of 2022 has been registered on 23.06.2022 for 'woman missing' and during the course of investigation, it came to light that Bavani was in love with



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one Veluprabhakaran, the third respondent's son and has eloped with him.

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4.In such view of the matter, it cannot be stated that Bavani is in the illegal custody of the respondents for the issuance of a Writ of Habeas Corpus. However, we direct the Deputy Superintendent of Police, Eluppur Sub Division, Pudukottai District to supervise the investigation that is being conducted by the Inspector of Police, Karaiyur Police Station in Crime No.103 of 2022 and keep the petitioner informed of the developments, if any. As and when the detenu Bavani, aged about 19 years, is secured, she shall be produced before the learned Judicial Magistrate, Eluppur, Pudukkottai 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.

5.Accordingly, this Habeas Corpus Petition is closed.

[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,
Eluppur,
Pudukkottai District.

2.The Superintendent of Police,
Pudukkottai,
Pudukkottai District.

3.The Deputy Superintendent of Police,
Eluppur Sub Division,
Pudukkottai District.

4.The Sub Inspector of Police,
Karaiyur Police Station,
Pudukkottai 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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