



H.C.P.(MD)No.1911 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

and

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

H.C.P.(MD)No.1911 of 2022

Vembu Mari

.. Petitioner

Vs.

1.The Superintendent of Police,
Tenkasi District.

2.The Inspector of Police,
Tenkasi Police Station,
Tenkasi District.

3.Aravinth

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to
issue a Writ of Habeas Corpus to direct the respondents 1 and 2 to produce



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the body or person of the detenu namely, Kavitha, D/o.Vembu Mari, now aged about 19 years, before this Court and set her at liberty.

For Petitioner : Mr.D.Venkatesh
For Respondents : Mr.A.Thiruvadikumar - R1 & R2
Additional Public Prosecutor

ORDER

[Order of the Court was made by **N.ANAND VENKATESH, J.**]

The father of the detenu has filed this Habeas Corpus Petition seeking for a direction to the respondent police to produce his daughter Kavitha, aged about 19 years, who is said to be missing from 07.11.2022 onwards.

2. The learned Additional Public Prosecutor, on instructions, submitted that the detenu had developed a love affair with the third respondent and since the marriage was fixed for the detenu, she eloped with the third respondent. Based on the complaint given by the petitioner, a



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"woman missing" FIR has been registered in Crime No.585 of 2022 by the second respondent police and investigation is pending. The learned Additional Public Prosecutor further submitted that the initial enquiry reveals that the detenu along with the third respondent are now presently at Kerala.

3. This Habeas Corpus Petition is disposed of with a direction to the second respondent police to secure the detenu and the third respondent and produce them before the Judicial Magistrate Court, Tenkasi. The learned Magistrate shall record the statement of the petitioner, detenu and the third respondent and act as per the wish as of the detenu, since she is a major. Based on the statements recorded by the learned Magistrate, the second respondent police shall take action in the pending FIR.

(M.S.R.,J.) (N.A.V.,J.)
17.11.2022

Index : Yes/No
Internet : Yes
rm

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Tenkasi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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