



HCP(MD)No.2024 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 02.12.2022

CORAM

**THE HON'BLE MR JUSTICE M.S.RAMESH
AND
THE HON'BLE MR JUSTICE N. ANAND VENKATESH**

H.C.P.(MD)No.2024 of 2022

Ponnalagu

.. Petitioner / Mother of the
Detenu

Vs.

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

2.The Inspector of Police,
S.V.Mangalam Police Station,
Sivagangai Taluk,
Sivagangai District.

3.Vignesh
4.Singaram
5.Saradha

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, directing the respondents 1 and 2 to secure and produce the detenu, namely Ramya, daughter of Deivaraj, aged about 22 years, who has been detained and tortured under the custody of the respondents 3,4 and 5, before this Court and set her at liberty forthwith.



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For Petitioner :Mr.D.Roja Ramani
For R1 & R2 :Mr.A.Thiruvadikumar,
Additional Public Prosecutor

ORDER

(Order of the Court was made by **N. ANAND VENKATESH,J.**)

This petition was filed by the mother of the detenu on the ground that her daughter Ramya, aged about 22 years went missing from 08.11.2022 onwards and she was illegally taken away/kidnapped by the respondents 3 to 5.

2.The learned Additional Public Prosecutor, on instructions, submitted that the second, respondent based on the complaint given by the petitioner, registered a Woman Missing FIR in Crime No.93 of 2022. During the course of investigation, it came to the notice of the second respondent that the detenu married the third respondent on 11.11.2022. After the marriage, they came before All Women Police Station, Sivagangai, on 30.11.2022 and gave a complaint to give protection from their parents and the said complaint was entertained by the All Women Police Station, Sivagangai in C.S.R.No.67 of 2022. On coming to know of the same, the second respondent collected all the particulars and the entire file was produced before this Court.



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3.In view of the above, it will suffice, if a direction is given to the second respondent to produce the detenu before the learned Judicial Magistrate, Singampuneri. On the date when the detenu is produced, the petitioner shall also be informed and she shall be present before the learned Magistrate. The statement of the detenu and the petitioner shall be recorded by the learned Magistrate and the learned Magistrate shall take a decision, based on the wishes of the detenu. The second respondent shall act upon the decision taken by the learned Magistrate in the pending FIR.

4.This Habeas Corpus Petition is disposed of with the above direction.

(M.S.R.,J.) (N.A.V.,J.)
02.12.2022

Index: Yes/No
Internet: Yes/No
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