



WEB COPY



H.C.P.No.57 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2023

CORAM:

THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN
and
THE HONOURABLE Mr.JUSTICE MOHAMMED SHAFFIQ

H.C.P.No.57 of 2023

N.Rajaraman

.. Petitioner

Vs.

1. The Inspector of Police,
Gingee Police Station,
Villupuram District.

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

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of HABEAS CORPUS to direct the first and second respondents to make investigation in the case registered in CSR.No.1530 of 2022 on the file of the first respondent and produce the petitioner's daughter, namely Nisha, aged 22 years , before this Court and set her at liberty.

For Petitioner : Mr.C.Munusamy

For Respondents : Mr.R.Muniyapparaj, Addl.P.P.
Additional Public Prosecutor



WEB COPY



H.C.P.No.57 of 2023

ORDER

This Habeas Corpus Petition has been filed by the petitioner seeking a direction to the respondents to investigate the case in CSR.No.1530 of 2022 on the file of the first respondent and produce the petitioner's daughter, namely Nisha, aged 22 years , before this Court and set her at liberty.

2. It is the case of the petitioner that he has two daughters and one son, namely Saranya, Nisha and Rajesh. The elder daughter was given in marriage. The younger daughter Nisha is working in Chennai in a Textile Shop, namely Saravana Stores for six years and to arrange for her marriage, the father requested her to return to native place and accordingly, she came to native place and lived with their parents.

3. On 07.12.2022, the petitioner and his daughter went to a relative's house at about 8 am and the younger daughter returned by 2 p.m. and thereafter, she was missing. After exhausting all sources of search of his daughter Nisha, the petitioner (father) complained to the first respondent-



H.C.P.No.57 of 2023

Police on 23.12.2022 and though a CSR in No.1530 of 2022, dated 25.12.2022 was issued, there was no progress thereafter. Hence, the petitioner approached the second respondent and requested for taking steps to trace out the missing daughter Nisha. Even thereafter, his attempt to trace out her did not fructify. According to the petitioner, the Police authorities are lethargic in tracing out his daughter Nisha. It is the grievance of the petitioner that having exhausted all his efforts in searching his daughter, he has filed the present Habeas Corpus Petition.

4. On instructions, the learned Additional Public Prosecutor appearing for the respondents submitted that, on the complaint made by the petitioner, after issuance of CSR in CSR.No.1530 of 2022, steps were taken immediately to trace out the daughter (Nisha) of the petitioner. After securing the daughter of the petitioner, Police will produce her before the jurisdictional Magistrate.

5. Recording the above submission of the learned Additional Public Prosecutor, this Habeas Corpus Petition stands closed, with a direction to



H.C.P.No.57 of 2023

the second respondent-Superintendent of Police, Villupuram District, Villupuram, to supervise the investigation made on the said complaint of the petitioner and keep the petitioner informed of the developments, if any. As and when the detainee Nisha, aged about 22 years is secured, she shall be produced before the jurisdictional Judicial Magistrate, under due intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders with regard to custody of the detainee Nisha in accordance with law.

(S.V.N., J) (M.S.Q., J)
12.01.2023

Speaking Order: Yes/no
Neutral Citation: Yes/no
nsd/cs

To

1. The Judicial Magistrate, Villupuram, Villupuram District.
2. The Superintendent of Police,
O/o.The District Superintendent of Police, Villupuram.
3. The Inspector of Police,
Gingee Police Station, Villupuram District.
- 4.The Public Prosecutor, High Court, Madras.

4/5



WEB COPY



H.C.P.No.57 of 2023

S.VAIDYANATHAN, J
and
MOHAMMED SHAFFIQ, J

CS

H.C.P.No.57 of 2023

12.01.2023