



WEB COPY



H.C.P.No.232 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2023

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR

and

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

H.C.P.No.232 of 2023

Vanitha

W/o.Sivakumar

..

Petitioner

Vs.

1. The Superintendent of Police
District Superintendent Office
Ariyalur District.

2. The Inspector of Police
Irumbulikurichi Police Station
Ariyalur District.

3. Muthupandi

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus to direct the 2nd respondent herein to produce the body of the petitioner's daughter xxxxx, D/o.Sivakumar, aged about 15 years, who is now illegally detained by the 3rd respondent before

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this Hon'ble Court and handover to the petitioner.

For Petitioner : Mr.K.Gandhi Kumar
For Respondents 1 & 2 : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

[Order of the Court was made by M.SUNDAR, J.,]

Captioned 'Habeas Corpus Petition' [hereinafter 'HCP' for the sake of brevity and convenience] has been filed by mother of absentee (we are withholding the name of the absentee with the intention of masking).

2. Mr.K.Gandhi Kumar, learned counsel on record for petitioner submits that the petitioner's daughter i.e., absentee is 15 years old and studying class 10 in school. It is submitted that the absentee went missing from 25.01.2023, a complaint has been made and a case has been registered on the file of second respondent vide FIR No.9 of 2023 dated 25.01.2023.

3. Today, the petitioner and his spouse Sivakumar were present in Court.



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4. Mr.R.Muniyapparaj, learned Additional Public Prosecutor who accepted notice on behalf of respondents 1 and 2 submits that the absentee was secured from a bus terminus on 03.02.2023 by the police and the absentee was produced before us. We had a short interaction with the absentee.

5. Absentee wants to continue her education and wants to go with her parents. Absentee also made it clear that she wants to live with her parents i.e., petitioner and spouse of petitioner.

6. In the light of the narrative thus far, learned counsel for petitioner submits that HCP can be given a closure.

7. Sequitur is, HCP disposed of as closed recording what unfurled in the hearing today. There shall be no order as to costs.

(M.S.,J.)

(M.N.K.,J.)

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Index : Yes / No

Speaking / Non-speaking

Neutral Citation : Yes / No

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M.SUNDAR, J.,
and
M.NIRMAL KUMAR, J.,

mk

To

1. The Superintendent of Police
District Superintendent Office
Ariyalur District.
2. The Inspector of Police
Irumbulikulurichi Police Station
Ariyalur District.
3. The Public Prosecutor
High Court, Madras.

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