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H.C.P.No.932 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2023

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR
and

THE HONOURABLE Mr.JUSTICE R.SAKTHIVEL

H.C.P.No.932 of 2023

K.Manju
W/o.Kathirvel

.. Petitioner /
Mother

Vs.

1. The Superintendent of Police
Office of the Superintendent of Police
Ranipet District – 632 401

2. The State
Rep. By its Inspector of Police
Arcot Police Station
Ranipet District – 632 503

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus directing the respondents to produce the petitioner's daughter xxx, D/o.Manju, wife of Kathirvelu, aged about 19 years before this Court and set her at liberty.

For Petitioner : Mr.G.Ananda Raj

Page Nos.1/5



WEB COPY



H.C.P.No.932 of 2023

For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

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

This order will now dispose of the captioned 'Habeas Corpus Petition' ['HCP' for the sake of brevity].

2. Short facts shorn of elaboration or in other words, short facts that are imperative for appreciating this order are that the petitioner's daughter 'xxx' (we are masking the name and we shall be referring to petitioner's daughter as 'absentee' for the sake of convenience) is missing from 24.02.2023; that the petitioner after taking all efforts to locate the absentee lodged a complaint with the jurisdictional police on 25.02.2023 (to be noted, the second respondent is the jurisdictional police); that the jurisdictional police took the complaint on file vide Crime No.47 of 2023 and registered a 'First Information Report' ['FIR'] for 'woman missing'; that the absentee is 19 years old and she is undisputedly a major; that under the apprehension that the absentee may have been illegally detained by some one, captioned HCP



H.C.P.No.932 of 2023

was filed in this Court on 23.05.2023; that Hon'ble Vacation Bench issued notice on 25.05.2023.

3. Today, the petitioner, petitioner's counsel Mr.G.Ananda Raj, Mr.E.Raj Thilak, learned State Additional Public Prosecutor for the two respondents and the absentee are all before this Court.

4. This Court is informed that the absentee has chosen one Mr.P.Balaji as her companion and is living at his residence in T.Nagar, Chennai. The petitioner and the absentee had an interaction i.e., a discussion in the Court with adequate privacy. This matter was passed over for this purpose.

5. Post discussion/interaction in the second call, this Court was informed that petitioner has no reservation about the absentee's companion and that the petitioner would be visiting absentee and her companion.



H.C.P.No.932 of 2023

6. The narrative thus far makes it clear that this is not a case of illegal detention or unlawful custody and therefore we drop the curtains on the captioned HCP.

Captioned HCP disposed of as closed albeit preserving all the rights and contentions of all the parties if there are any collateral / connected proceedings.

(M.S.,J.)

(R.S.V.,J.)

23.06.2023

Index : Yes/No

Speaking order/Non-speaking order

Neutral Citation : Yes /No

gpa

To

1. The Superintendent of Police

Erode District

Erode

2. The Superintendent of Police

Tiruvallur District

Tiruvallur

3. The Inspector of Police

Gummidipoondi Police Station

Sipcot, Gummidipoondi

Tiruvallur District

4. The Public Prosecutor

Madras High Court, Chennai

Page Nos.4/5



WEB COPY



H.C.P.No.932 of 2023

M.SUNDAR, J.
and
R.SAKTHIVEL, J.

gpa

H.C.P.No.932 of 2023

23.06.2023

Page Nos.5/5