



H.C.P.No.2262 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2023

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

H.C.P.No.2262 of 2023

LaxmiDevarajUdaiyar

... Petitioner

Vs.

1.The Superintendent of Police,
Vengikkal,
Tiruvannamalai.

2.The Inspector of Police,
Vettavalam Police Station,
Tiruvannamalai.

3.Sivakumar

... Respondents

Prayer : Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Habeas Corpus to direct the respondent to produce petitioner's daughter Miss D.Sathyapriya, aged about 20 years, born on 15.01.2004, before this Court and set her at liberty.



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For Petitioner : Mr.R.Sreedhar
For R1 and R2 : Mr.E.Raj Thilak
Additional Public Prosecutor
assisted by Mr.Aravind C.

ORDER

(Order of the Court was made by **S.S. SUNDAR, J.**)

The petitioner, mother of the detenue D.Sathyapriya, aged about 20 years, has come forward with this petition to produce the detenue before this Court and set her at liberty.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 and 2.

3.It is the case of the petitioner that her daughter/detenue was found missing from 11.10.2023 and therefore, she lodged a complaint before the respondent Police for “woman missing”. Thereafter, the petitioner has approached this Court by way of this Habeas Corpus Petition.



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4.Learned Additional Public Prosecutor appearing for the respondent Police, on instructions, submitted that the detenue appeared before the 1st respondent/Superintendent of Police and gave a statement that she had married a boy of her choice and she has, on her own, gone out of her parental home. The learned Additional Public Prosecutor has also produced before this Court a copy of the statement of the detenue before the 1st respondent.

5.In the said circumstances, this Court *prima facie* finds that this is not a case of illegal detention. Therefore, this Court is of the view that it is not necessary to keep this Habeas Corpus Petition pending any further. Hence, this Habeas Corpus Petition is closed with the following directions :

- i. The respondents 1 and 2 are directed to produce the detenue before the jurisdictional Magistrate, i.e., Judicial Magistrate No.II, Tiruvannamalai, under prior intimation to the petitioner.
- ii. The learned Judicial Magistrate is requested to record statements of detenue and all concerned in accordance with law and pass



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appropriate orders.

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iii. If the learned Judicial Magistrate suspects any illegal detention, a report may be sent by the learned Magistrate to this Court, recording the same.

(S.S.S.R., J.) (S.M., J.)
24.11.2023

mkn

Internet : Yes

Index : Yes / No

Neutral Citation : Yes / No

To

- 1.The Judicial Magistrate No.II,
Tiruvannamalai.
- 2.The Superintendent of Police,
Vengikkal,
Tiruvannamalai.
- 3.The Inspector of Police,
Vettavalam Police Station,
Tiruvannamalai.
- 4.The Public Prosecutor,
High Court, Madras.



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and
SUNDER MOHAN, J.

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