



H.C.P.(MD) No.349 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

AND

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

H.C.P.(MD)No.349 of 2023

Sasikala

... Petitioner / Mother of the Detenue

Vs.

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

2.The Inspector of Police,
Pasupathipalayam Police Station,
Karur.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents to produce the body or person of the petitioner's daughter-the detenue, Nisanthi aged 23 years D/o.Kannan before this Court and set her at liberty.

For Petitioner : Mr.V.Nagarajan

For Respondents : Mr.A.Thiruvadi Kumar,

Additional Public Prosecutor



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H.C.P.(MD) No.349 of 2023

ORDER

(Order of the Court was made by ***R.SURESH KUMAR, J.***)

The petitioner, seeking production of her daughter, namely, Nisanthi, aged about 23 years, has filed this Habeas Corpus Petition.

2.Already in the year 2019, there has been an FIR registered against the detenue, as she was missing. Subsequently, the 2nd respondent Police traced her and produced before the Magistrate concerned ie., learned Judicial Magistrate No.1, Karur, where the detenue had given a statement that she already married one Thiruselvam, as she fell in love with him. Therefore, she wanted to live with him and to go along with her husband. Based on which she was permitted to go with her husband.

3.The episode was over as early as in the year 2019. Thereafter, nothing had come and now, this Habeas Corpus Petition is filed, after giving a complaint to state that the whereabouts of the detenue is not known. Once the missing detenue had already been traced by the Police and she claimed to have married one Thiruselvam and along with him she wanted to live,



H.C.P.(MD) No.349 of 2023

therefore, every now and then whereabouts of the detinue need not be traced by the Police. Therefore, the present prayer sought for in this petition cannot be acceded to and granted. Accordingly, this Habeas Corpus Petition is closed.

(R.S.K., J.) & (K.K.R.K, J.)

14.03.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

MYR

To

- 1.The Superintendent of Police,
Karur District, Karur.
- 2.The Inspector of Police,
Pasupathipalayam Police Station,
Karur.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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