



H.C.P.(MD) No.561 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.05.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN  
and  
THE HONOURABLE MRS.JUSTICE S.SRIMATHY

H.C.P.(MD) No.561 of 2023

K.Muthukaruppan

... Petitioner

-vs-

1.The Superintendent of Police  
Madurai  
Madurai District

2.The Inspector of Police  
C-4 Y.Othakkadai Police Station  
Madurai District

3.Abubakkar Siddik

... 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 person or body of the detenue Kalaiselvi, daughter of Muthukaruppan, aged about 27 years, before this Court and set her at liberty.



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For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mr.T.Senthil Kumar  
Additional Public Prosecutor for R1 & R2

### **ORDER**

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

**2.** Issuance of notice to the third respondent is dispensed with.

**3.** The case of the petitioner is that his married daughter is missing. It appears that based on the complaint given by the petitioner, a case in Crime No.161 of 2023 has been registered on the file of C-4 Y.Othakkadai Police Station, Madurai District. The so-called detinue is a major, aged about 27 years. *Prima facie*, it appears to be a case of elopement.

**4.** Be that as it may, no case for issuance of notice in this habeas corpus petition is made out. However, we direct the second respondent to take earnest efforts to trace the detinue. The jurisdictional Deputy



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Superintendent of Police will monitor the investigation and as and when the detainee is secured, she will be produced before the learned jurisdictional Magistrate. The learned jurisdictional Magistrate will enquire the detainee and pass appropriate orders based on the outcome of the said enquiry.

**5.** With the above direction to the second respondent to secure the detainee as expeditiously as possible, this habeas corpus petition is disposed of.

**[G.R.S., J.]      [S.S.Y., J.]**

**10.05.2023**

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

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To:

- 1.The Superintendent of Police,  
Madurai,  
Madurai District.
- 2.The Inspector of Police,  
C-4 Y.Othakkadai Police Station,  
Madurai District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**G.R.SWAMINATHAN, J.**  
**and**  
**S.SRIMATHY, J.**

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