



H.C.P.(MD) No.589 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.589 of 2023

Seethai

... Petitioner

-VS-

1.The Superintendent of Police
Madurai District, Madurai

2.The Inspector of Police
Alanganallur Police Station
Madurai District
(Crime No.160 of 2023)

3.Udhaya Kumar

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 & 2 to produce the body or person of the detenue namely Rajeshwari, daughter of Radhakrishnan, aged 17 years, who is the daughter of the petitioner, before this Court and to handover the detenue to the custody of the petitioner.



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For Petitioner : Mr.M.S.Jeyakarthik

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 her daughter is missing. It appears that based on the complaint given by the petitioner, a case in Crime No.160 of 2023 has been registered on the file of Alanganallur Police Station, Madurai District. The so-called detenue is a minor, aged about 17 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 detenue. 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 District,
Madurai.
- 2.The Inspector of Police,
Alanganallur Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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