



H.C.P.(MD) No.597 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.597 of 2023

Yuvaraja

... Petitioner

-VS-

1.The Commissioner of Police
Trichy City, Trichy

2.The Inspector of Police
G.H.Police Station
Trichy City

3.S.Kalaivani

4.S.Karthic

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 to 2, to produce the corpus or person of the Detenu Sangeetha (aged about 21 years), Daughter of Sekar from the illegal Custody of 3 to 4 respondents before this Court and set her at liberty.



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For Petitioner : Mr.B.Vinothkumar

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 respondents 3 & 4 is dispensed with.

3. The petitioner claims to have married the daughter of the third respondent. But, no marriage certificate has been enclosed. Only a photograph featuring the two has been enclosed in the typed set of papers. However, based on the third respondent's complaint, a case in Crime No.501 of 2023 has been registered on the file of G.H.Police Station, Trichy District.

4. The learned Additional Public Prosecutor would state that the detenue was secured and enquired and since she expressed her desire to go with her mother, she was sent along with the third respondent. This statement is disputed by the learned counsel for the petitioner.



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5. We, therefore, direct the second respondent to produce the detainee 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.

6. With the above direction to the second respondent to produce the detainee before the learned jurisdictional Magistrate, 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 Commissioner of Police,
Trichy City, Trichy.
- 2.The Inspector of Police,
G.H.Police Station,
Trichy City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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