



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

H.C.P.(MD) No.603 of 2023

DATED : 10.05.2023

CORAM:

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

H.C.P.(MD) No.603 of 2023

Mariyammal

... Petitioner

-VS-

1.The Superintendent of Police
Tirunelveli, Tirunelveli District

2.The Inspector of Police
Valliyoor Police Station
Tirunelveli District

3.Raviraj

4.Gowsalya

... 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 petitioner's son detenue namely T.Muthukrishnan, son of Late.Thirupathi, aged 17 years, before this Court and handover the custody to the petitioner.



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For Petitioner : Mr.C.Susi Kumar

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 is the mother of the detenu. Her minor son had gone missing. It appears that he had eloped with the fourth respondent. In this regard, an F.I.R. has been registered on the file of Kondalampatti Police Station, Salem District, in Crime No.197 of 2023. Since the occurrence is said to have taken place at Chennai and no cause of action has arisen before this Court, we will not be justified in granting a direction to the respondent – Police.



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4. Hence, granting liberty to the petitioner to pursue her remedy in the manner known to law, 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,
Tirunelveli, Tirunelveli District.
- 2.The Inspector of Police,
Valliyoor Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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