



WEB COPY



HCP(MD)No.907 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.07.2023

CORAM

**THE HON'BLE MR JUSTICE M.S.RAMESH
AND
THE HON'BLE MR JUSTICE M.NIRMAL KUMAR**

H.C.P.(MD)No.907 of 2023

Natchathira Nirmalamary ... Petitioner / mother of the detenue

Vs.

1.The Commissioner of Police,
Madurai City.

2.The Inspector of Police,
Sellur Police Station,
Madurai District.

3.Muthukaruppu
4.Venkatesan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, directing the respondents 1 and 2 to produce the body or person of the detenue namely S.Nithilamary, D/o.Senthilkumar,



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aged about 16 years before this Court from the illegal custody of the respondents 3 and 4 and handover her custody to the petitioner.

For Petitioner : Mr.R.Gowrishankar
For Respondents : Mr.RMS.Sethuraman
Additional Public Prosecutor

ORDER

(Order of the Court was made by *M.S.RAMESH,J.*)

When the petitioner's daughter, namely, S.Nithilamary, born on 17.05.2007, went missing from 08.07.2023 onwards, she had lodged a complaint on 11.07.2023 before the 2nd respondent Police, which was registered in Crime No.799 of 2023 as 'Girl Missing'. In this background, the present Habeas Corpus Petition is filed.

2.Pending the Habeas Corpus Petition, the 2nd respondent herein had produced the detainee before us. When we interacted with the petitioner and the detainee, we thought that there are certain issues between them,



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which requires to be resolved and accordingly, had referred both of them to Mediation and Conciliation Centre attached to this Bench. In pursuance of the same, both of them had amicably resolved the disputes through a settlement agreement dated 24.07.2023, whereby the detinue had agreed to go and join with her mother / petitioner.

3.It is the claim of the petitioner that the respondents 3 and 4 had earlier taken away the custody of her daughter. In this connection, the 2nd respondent has produced the respondents 3 and 4 before us. When we spoke with both these respondents, they claimed that though they are friends with the petitioner's daughter, they had not kidnapped or taken her. They further claimed that they have no intention of having any relationship with her in future. They assured that they will not disturb the petitioner's daughter or her family members in future.

4.In view of the amicable settlement arrived at between the petitioner and her daughter and now, she has chosen to reconcile with her



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mother, the prayer sought for in this petition has been met. Accordingly,
this Habeas Corpus Petition is closed.

(M.S.R.,J.) & (M.N.K.,J.)
25.07.2023

NCC : Yes / No
Index : Yes / No

Yuva

To

- 1.The Commissioner of Police,
Madurai City.
- 2.The Inspector of Police,
Sellur Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.S.RAMESH, J.
AND
M.NIRMAL KUMAR, J.

Yuva

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