



HCP(MD)No.1228 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 06.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

and

THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

H.C.P.(MD)No.1228 of 2023

Muthumariammal

: Petitioner

Vs.

1.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

2.The Inspector of Police,
Pasuvanthanai Police Station,
Thoothukudi.

3.Mr.Manohar

: 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 person or body of the detenu by name Gokila, D/o.Sudalaimadan, female aged about 26 years before this Court and set her at liberty.

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For Petitioner : Mr.M.Seran for Mr.V.Rajiv Rufus

For Respondents : Mr.R.Meenakshi Sundaram,
Addl. Public Prosecutor for R1 & R2
Mr.A.Prasanna Rajadurai for R3

ORDER

[Order of the Court was made by **M.SUNDAR, J.**]

Captioned 'Habeas Corpus Petition' ['HCP' for the sake of brevity] has been filed in this Court on 03.10.2023.

2. Factual matrix in a nutshell is that petitioner's daughter one Gokila, aged 26 years [date of birth 01.01.1998] is missing from 11.09.2023; that it is feared that third respondent [private respondent] has kidnapped the petitioner's daughter [from hereon petitioner's daughter shall be referred to as 'absentee' for the sake of convenience]; that it is a further fear of HCP petitioner that absentee may be illegally detained and the absentee may be in unlawful custody of third respondent.



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3. Pursuant to earlier proceedings, today Mr.M.Seran, learned counsel representing Mr.V.Rajiv Rufus, learned counsel on record for HCP petitioner, Mr.R.Meenakshi Sundaram, learned State Additional Public Prosecutor for respondents 1 and 2 instructed by Ms.K.Muthumari, Inspector of Police, Pasuvanthanai Police Station, learned counsel for third respondent, absentee and the third respondent are before us.

4. This Bench had interaction with absentee.

5. The following points emerged from the interaction:

(i) the absentee is 26 years old as already alluded to supra [date of birth 01.01.1998];

(ii) absentee is a graduate and absentee holds B.Sc., degree Microbiology;

(iii) third respondent is 36 years old and he is working as loco pilot with the Railways;



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concerned with the matter if there are any other connected or collateral proceedings.

7. Captioned HCP is disposed of in the aforesaid manner. There shall be no order as to costs.

[M.S.,J.] & [R.S.V.,J.]

06.11.2023

Neutral Citation : Yes/No
Index : Yes/No
vsm

To

- 1.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
- 2.The Inspector of Police,
Pasuvanthanai Police Station,
Thoothukudi.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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