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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:28.03.2024

CORAM:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
and
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

H.C.P.(MD) No.338 of 2024

Andiyammal ... Petitioner/Mother of the detenue

-VS-

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

2.The Inspector of Police,
Taluk Police Station,
Dindigul and District.

3.Muthupandi

4.Hemalatha

5.Palaniyammal ... Respondents

PRAYER : Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus to direct the respondents 1 and 2 to produce the person or body of the Petitioner's daughter T.Prabha, 19 years old woman before this Court and set her



at liberty.

For Petitioner : Mr.R.Murugappan

For Respondents : Mr.RMS.Sethuraman
1 and 2 Addl.Public Prosecutor

ORDER

DR.G.JAYACHANDRAN,J.

AND

C.KUMARAPPAN,J.

This habeas corpus petition has been filed by the mother of the detinue, directing the respondents 1 and 2 to produce the person or body of the Petitioner's daughter T.Prabha, 19 years old woman before this Court and set her at liberty.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The mother of the 19 years old girl is before this Court alleging that the third respondent along with his sister and mother had illegally taken custody of her daughter. However, the respondents 1 and 2-Police on investigation of the complaint, found that the daughter of the Petitioner had fallen love with the third respondent, who is the



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brother of the fourth respondent and now they got married and living separately.

4.Today, to ascertain whether the allegations made by the Petitioner has any iota of truth, the respondents Police produced the girl and the third respondent before this Court and on enquiry, we came to know that the Petitioner and her henchmen went to the house of the third respondent and tried to create nuisance and they did not allow the Petitioner to see the girl. Except that, there was nothing as alleged against him(third respondent) by the Petitioner.

5.The learned counsel for the Petitioner made wild allegations that the Petitioner went to see her daughter and her daughter was not shown to her and she apprehends that her daughter may be sent to Mumbai for flesh trade. Hence this Court directed the Petitioner to file an additional affidavit and the same was also filed. However, we find that the allegations made by the Petitioner are bald allegations and there is no truth in it.



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6. In view of the above facts, this Court finds no merit in the Habeas Corpus Petition and hence, the same stands dismissed. Initially, this Court thought that for making wild allegations, cost may be imposed on the Petitioner. Considering the financial status of the Petitioner, we restrain ourselves from imposing cost on the Petitioner.

[G.J.,J.] [C.K.,J.]

28.03.2024

NCS : Yes/No
Index : Yes / No
Internet : Yes / No
vsn

To:

1. The Superintendent of Police,
Dindigul District,
Dindigul.
2. The Inspector of Police,
Taluk Police Station,
Dindigul and District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.G.JAYACHANDRAN,J.
AND
C.KUMARAPPAN,J.

vsn

ORDER MADE IN
H.C.P.(MD) No.338 of 2024

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