



**H.C.P.(MD) No.449 of 2024**

**WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 15.04.2024**

**CORAM:**

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA  
and  
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**H.C.P.(MD) No.449 of 2024**

V.Moorthi

... Petitioner

-VS-

1.The Superintendent of Police  
Madurai District, Madurai

2.The Inspector of Police  
Palamedu Police Station  
Madurai District

3.Dinesh

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents to produce the body or person of the petitioner's minor daughter the detenu XXXX, aged about 17 years, before this Court and hand over her custody to the petitioner.



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For Petitioner : Mr.S.Vellaichamy

For Respondents : Mr.RMS.Sethuraman  
Additional Public Prosecutor for R1 & R2

**ORDER**

**[Order of the Court was made by A.D.JAGADISH CHANDIRA, J.]**

Seeking a direction to the respondent – Police to secure the detainee XXXX, aged about 17 years and handover her custody with him, her father has filed this habeas corpus petition.

**2.** It is the case of the petitioner that his minor daughter XXXX born on 04.12.2006 and she is studying 12<sup>th</sup> Standard. On 18.03.2024, she went to School, but she did not return back to the house. Though a case has been registered by the respondent – Police in Crime No.71 of 2024, no effective steps were taken thereafter to find out the whereabouts the detainee. Hence, this habeas corpus petition.

**3.** Notice to the respondents was ordered on 12.04.2024.



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**4.** The respondent – Police secured the detenue and produced her before this Court today. The detenue was accompanied by Ms.RM.Reolin, S.I.Training, Alanganallur Police Station.

**5.** Learned Additional Public Prosecutor appearing for the respondent – Police, on instructions, submitted that the third respondent had abducted the detenue and both of them were traced and secured at Neikkarapatti, Dindigul District. He would further submit that during enquiry, the detenue expressed her willingness to go along with her parents and her parents are also willing to take their daughter with them. The process of investigation is going on and there is a likelihood of altering the provisions of the case.

**6.** We enquired the detenue. On enquiry, she expressed her willingness to go along with her parents, who are present before this Court. We also enquired the petitioner Moorthi / father of detenue and his wife Maruthayee / mother of detenue. They also expressed their willingness to take the detenue along with them. Further, they have also undertaken that they will cooperate with the respondent – Police for enquiry.



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**7.** Since the detainee has been secured and handed over with her parents, no further orders are required in this habeas corpus petition and the same is, therefore, closed.

**[A.D.J.C., J.]**

**[K.R.S., J.]**

**15.04.2024**

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To:

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



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**AND**  
**K.RAJASEKAR, J.**

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