



H.C.P.(MD) No.522 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.06.2024

CORAM:

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

H.C.P.(MD) No.522 of 2024

Pushbha

... Petitioner

-vs-

State rep.by

1.The Superintendent of Police
Tenkasi District, Tenkasi

2.The Inspector of Police
Sernthamaram Police Station
Tenkasi District

3.Manikandan

... 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 detenue, namely, Murugeshwari, aged 19 years, daughter of Karuppasamy, before this Court and set her at liberty.



WEB COPY

H.C.P.(MD) No.522 of 2024

For Petitioner : Mr.S.Selvakumar

For Respondents : Mr.RMS.Sethuraman
Additional Public Prosecutor for R1 & R2
Mr.P.Pratheesh for R3

ORDER

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

The petitioner has filed this habeas corpus petition seeking a direction to the respondents 1 and 2 to secure her daughter XXXX, aged about 19 years, produce her before this Court and set her at liberty.

2. It is the case of the petitioner that her younger daughter was studying 12th standard and she was found missing from 21.02.2024. On enquiry, she came to know that the third respondent had abducted her daughter and detained her in his illegal custody. Though a case in Crime No. 53 of 2024 has been registered by the respondent – Police for woman missing, based on the complaint given by the petitioner, they have not taken any steps thereafter to secure her daughter. Hence, the petitioner has filed this habeas corpus petition.



H.C.P.(MD) No.522 of 2024

WEB COPY

3. Learned Additional Public Prosecutor appearing for the respondents 1 and 2, on instructions, would submit that the alleged missing girl was traced at Bangalore. Since she refused to go along with her parents, she was produced before the learned Judicial Magistrate, Tenkasi and her statement was recorded and later, based on her request, she was kept in the shelter home and has been produced before this Court today.

4. On enquiry, the detenue submitted that she is aged 19 years and on her own volition, she had married the third respondent and she is living with him and she is not in illegal detention of anybody.

5. The third respondent is also present before this Court. On enquiry, the third respondent submitted that he is a Diploma Holder in Electrical Engineering and that he was in love with the detenue and he has married her and he is taking steps to register their marriage.

6. We find that the detenue is a major aged about 19 years and she is not in illegal detention of anybody and she is set at liberty. Therefore, no further adjudication is required in this habeas corpus petition.



H.C.P.(MD) No.522 of 2024

WEB COPY

7. Accordingly, the habeas corpus petition is closed.

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

[K.R.S., J.]

05.06.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

krk

To:

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



WEB COPY



H.C.P.(MD) No.522 of 2024

A.D.JAGADISH CHANDIRA, J.
AND
K.RAJASEKAR, J.

krk

H.C.P.(MD) No.522 of 2024

05.06.2024