



H.C.P.(MD) No.739 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.07.2024

CORAM:

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

H.C.P.(MD) No.739 of 2024

N. Vaithegi

... Petitioner

-VS-

1.The Superintendent of Police,
Madurai District
Madurai

2. The Inspector of Police
Melavalavu Police Station
Madurai District

3.Nithiya

... 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 detenu namely Arumugaraja, S/o.Nallu aged about 20 years, son of the petitioner before this Court and set him at liberty.

For Petitioner :Mr.S.Sarvagan Prabhu

For Respondents :Mr.R.M.S.Sethuraman
Additional Public Prosecutor



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ORDER

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

This Habeas Corpus Petition has been filed to produce petitioner's son namely Arumugaraja, S/o.Nallu aged about 20 years before this Hon'ble Court and set him at liberty.

2. Facts behind the present Habeas Corpus Petition are as under:-

The petitioner's son Arumugaraja is aged about 20 years and he was found missing from 20.4.2024. In this regard, she had given a complaint/representation to respondents 1 and 2 suspecting that her son was abducted by the third respondent, a married lady, with the aid of her mother and when she sought to lodge a complaint at the earliest point of time, it was refused to be received, however, the mother of the third respondent, suppressing all the factual aspects, had lodged a complaint for women and boy missing on 23.4.2024, which came to be registered in Crime No.84 of 2024 and thereby, the petitioner had sought for tracing of her son. Claiming inaction on the part of the respondents, the present Habeas Corpus Petition has been filed.



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3. Heard the learned counsel appearing for the petitioner and Mr.R.M.S.Sethuraman, learned Additional Public Prosecutor appearing for respondents 1 and 2.

4. The learned Additional Public Prosecutor has produced a Status Report filed by the second respondent clarifying the issue contending as under:-

On a complaint lodged by the third respondent's mother that her daughter and grandson are missing, the respondents have already registered an FIR in Crime No.84 of 2023 dated 23.4.2024 and conducted investigation. Preliminary enquiry reveals that the third respondent had acquaintance with petitioner's son and she had eloped with the petitioner's son and thereupon, the respondents have issued notice of pamphlets, publication in newspapers and local channels about the missing persons and tracing the call details of the mobile numbers of both the detenu and the third respondent through Cyber Crime and thereby they are taking every steps to trace son of the petitioner and missing women/third respondent and her son and as and when they are traced, it would be intimated to the petitioner.



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5. Recording the above, this habeas corpus petition is closed with a direction to the respondents 1 and 2 to continue their efforts to trace the missing persons.

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

[K.R.S., J.]

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

26.07.2024

To:

- 1.The Superintendent of Police,
Madurai District
Madurai
2. The Inspector of Police
Melavalavu 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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