



H.C.P.(MD) No.768 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.07.2024

CORAM:

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

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Palanisamy

... Petitioner

-VS-

1.The Superintendent of Police,
Pudukkottai District.

2.Inspector of Police,
Annavasal Police Station
Annavasal,
Pudukkottai District.

3.Kanagavel

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus to direct the respondents 1 & 2 to produce the body or person of the detenu, who is the petitioner's daughter namely Divya, D/o.Palanisamy, aged 23 years before this Court and set her at liberty.

For Petitioner

:Mr.K.M.Karunakaran
for Mr.V.S.Badrinath

For R1 & R2

:Mr.R.Meenakshi Sundaram
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 by the father of the detenu seeking to produce the alleged detenu namely Divya, D/o.Palanisamy, aged 23 years before this Court and set her at liberty.

2. The case of the petitioner is that his third daughter Divya, aged about 23 years was found missing from 01.04.2024. Since she was unable to find out the whereabouts of his daughter, he has given a complaint to the second respondent. While so, the petitioner came to know that his daughter is in the illegal custody of the third respondent. Since no action has been taken by the second respondent to find out the whereabouts of his daughter, he has filed the present habeas corpus petition.

3. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondents 1 & 2 would submit that the petitioner's daughter is aged about 23 years. Earlier the missing person was found within the limits of Thirukokaranam police station along with third



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respondent and thereafter an information was given to the petitioner's family as well as the third respondent's family and the petitioner's daughter was sent back home along with the petitioner. Subsequently, the petitioner has given a complaint on 01.04.2024 stating that his daughter is missing from 01.04.2024. Based on the complaint, a case in Cr.No.70 of 2024 has been registered for "Woman Missing". During the enquiry, it was found that the third respondent is also missing. The third respondent is younger to the missing person and the respondents are taking steps to find out the whereabouts of the missing person and the third respondent. As and when they are traced or secured the detenu it will be intimated to the petitioner.

4. In view of the above, we find that the detenu is not an illegal detention of anybody. Therefore, this Habeas Corpus Petition is closed with a direction to the respondents 1 & 2 to continue with the investigation and as and when the detenu is traced or secured, it has to be informed to the petitioner.

NCC : Yes / No
Index : Yes / No

[A.D.J.C., J.] [K.R.S., J.]
10.07.2024



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WEB COPY Internet : Yes / No
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To:

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



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

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