



H.C.P.(MD) No.859 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.07.2024

CORAM:

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

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S.Malaisamy

... Petitioner

-VS-

State rep. by Tamilnadu,

1.The Superintendent of Police,
D/o.Superintendent of Police,
Madurai District.

2.The Inspector of Police,
Checkanurani Police Station,
Thirumangalam Pallapatti Road,
Madurai District.

3.Jaysingh

4.E.Meena

5.E.Jayakumar

... Respondents

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



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For Petitioner :Mrs.J.Vasanthi
For R1 & R2 :Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

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 Sujitha, D/o.S.Malaichamy, aged about 23 years before this Court and set her at liberty.

2. The case of the petitioner is that he is a poor agriculturist. His daughter Sujitha/missing person, aged about 23 years had completed nursing course, while so, she went missing on 11.05.2023. The petitioner had given a complaint to the R.S.Mangalam Police Station. Based on which, a case in Cr.No. 109/2023 has been registered on 11.05.2023 for 'Woman Missing'. While so, the petitioner's daughter along with one Jeyasingh, who is the third respondent, surrendered before the Thirumangalam Police Station on 14.05.2023 and informed the police that they got married and therefore, the missing person was living along with the third respondent at Madurai. In the meantime, the missing



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person had been calling the petitioner and informing that the third respondent and his family members were harassing her and bullying her and had detained her in the house and not allowed to go out of the house. Further, on enquiry, the petitioner came to know that the third respondent was involved in criminal activities and he is habitual offender. On 14.06.2024 the petitioner's daughter/missing person had called him over phone and informed that she was under illegal detention and thereby, this habeas corpus petition has been filed.

3. On 16.07.2024 the second respondent police has produced the missing person Sujitha before this Court. We enquired the detenu. She stated that she had earlier gone with one Jaysingh and later finding that he is a habitual offender, she had left him and gone go to Batlagundu and get acquainted with one Ajithkumar and now she is living along with the said Ajithkumar and his family members.

4. After enquiry finding that the missing person is vulnerable, we directed the Ajithkumar and his parents to be present before this Court today.



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5. *Today the parents of the Ajithkumar namely Nagendran and Santhi were present before this Court and they stated that their son Ajithkumar had completed diploma in Mechanical Engineering and that he employed as Juice Master and he got acquainted with the missing person and they are aware of the love affair of their son with the missing person Sujitha and that they have also got married in a temple and that they are taking steps to register the marriage.*

6. *The missing person Sujitha stated that she is a major and she is not under the illegal custody of anybody and she also expressed her unwillingness to go along with her father.*

7. *Finding that the alleged detenu is not under the illegal custody of anybody, this habeas corpus petition is closed.*

[A.D.J.C., J.] [K.R.S., J.]
19.07.2024

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

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



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AND
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