



H.C.P.(MD).No.908 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 26.07.2024

CORAM

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

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Chellappa

.. Petitioner / Father of the Detenue

Vs.

1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.The Inspector of Police,
Cheranmahadevi Police Station,
Tirunelveli District.
(Crime No.307/2024)

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, directing the respondents to secure the detenue namely Devi daughter of Chellappa, aged 22 years and produce the person or body of the detenue before this Court and set her at liberty.

For Petitioner : Mr.S.Suresh Manickam

For Respondents : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor



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ORDER

(Order of the Court was made by A.D.JAGADISH CHANDIRA,J.)

The present Habeas Corpus Petition has been filed seeking to produce the body or person of the petitioner's daughter, namely, Devi, aged about 22 years before this Court.

2. The case of the petitioner is that his daughter Devi had completed her B.B.A., at Mano College, Govindhaperi, Tirunelveli and he arranged for marriage of his daughter on 15.09.2024. While so, on 15.07.2024, his daughter was found missing. Hence, the petitioner had given a complaint to the second respondent Police on 15.07.2024 and the same was registered in Crime No.307/2024 under the caption 'woman missing'. Thereafter, no action was taken by the respondent Police. Later, on enquiry, the petitioner came to know that one Anandhan, S/o.Shanmugavel, was in love with his daughter and that on his inducement, the petitioner's daughter was missing from 15.07.2024. The said fact was informed to the second respondent, but the second respondent has not chosen to enquire them. Hence, the petitioner has given a complaint to the first respondent on 18.07.2024 to



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secure his daughter. Despite the same, since no action was taken, the petitioner has approached this Court by filing Habeas Corpus Petition.

3. The learned counsel for the petitioner would submit that despite giving a complaint to the superior officer, no action has been taken and thereby, the petitioner has approached this Court.

4. The learned Additional Public Prosecutor, on instructions, would submit that based on the complaint given by the petitioner, a case in Crime No.307/2024 was registered for 'woman missing'. Later, the petitioner himself had handed over a letter alleged to have been written by his daughter stating that she was in love with one Anand, who was living opposite to her house and that the petitioner had compelled her to get married to some other person and thereby, she along with the said Anand had left home. Hence, it is not a case of illegal detention. However, the respondents are taking steps to trace the missing person and the said Anand.

5. In view of the above submission, we find that it is not a case of illegal detention. However, the respondents are directed to continue with



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the investigation and as and when the missing person and the said Anand are traced, the same shall be intimated to the petitioner herein. Accordingly, the Habeas Corpus Petition stands closed.

(A.D.J.C.,J.) (K.R.S.,J.)
26.07.2024

NCC : Yes / No
Index : Yes / No
Lm

To

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



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and
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