



H.C.P(MD)No.1289 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.01.2024

CORAM :

THE HONOURABLE MRS.JUSTICE J.NISHA BANU
and
THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

H.C.P(MD)No.1289 of 2023

Menaka

... Petitioner

vs.

1. The Superintendent of Police,
Office of the Superintendent of Police,
Pudukkottai District,
Pudukkottai.

2. The Inspector of Police,
Thirugokarnam Police Station,
Pudukkottai District.

3. Appu @ Manivasagam

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the person or body of the detainee namely Kalainila D/o Menaka, aged 17 years, before this Court and handover her custody to the petitioner.

For Petitioner : Mr.R.Prasanna

For R1 & R2 : Mr.RMS.Sethuraman, Additional Public Prosecutor



H.C.P(MD)No.1289 of 2023

WEB COPY

ORDER

[Order of the Court was made by **J.NISHA BANU, J.**]

This petition is filed for issuance of a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the person or body of the detainee namely Kalainila D/o Menaka, aged 17 years, before this Court and handover her custody to the petitioner.

2. Alleging that the 3rd respondent previously kidnapped her daughter; pursuant to the intervention of the police, her daughter was located; but again on 11.09.2023, the petitioner's daughter was found missing; despite a case in Crime No.264 of 2023 registered under the caption 'Girl Missing' on 20.09.2023, her daughter has not been secured till date, the petitioner has filed this Habeas Corpus Petition.

3. Today, the detainee as well as the 3rd respondent are produced before this Court by the respondent /Police. We enquired them. The 3rd respondent has stated that it is only the detainee has taken him along with her. The detainee is a minor aged 17 years and the mother of the detainee is also present before this Court. During enquiry, the detainee



H.C.P(MD)No.1289 of 2023

stated that she is willing to go with her mother and the mother of the
detenue also stated that she will take care of her daughter. The detenue is
permitted to go with her mother.

4. The Habeas Corpus Petition is disposed of accordingly. No
costs.

(J.N.B., J.) (K.K.R.K., J.)
11.01.2024

Index : Yes / No
Neutral Citation : Yes / No
bala

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Pudukkottai District,
Pudukkottai.

2. The Inspector of Police,
Thirugokarnam Police Station,
Pudukkottai District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



H.C.P(MD)No.1289 of 2023

J.NISHA BANU, J.
and
K.K.RAMAKRISHNAN, J.

bala

ORDER MADE IN
H.C.P(MD)No.1289 of 2023
DATED : 11.01.2024