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H.C.P.(MD)NO.146 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.01.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MS.JUSTICE R. POORNIMA

H.C.P.(MD)No.146 of 2025

R.Maheswari

... Petitioner/ Mother of the Detenu

Vs.

1. The Superintendent of Police,
O/o.the Superintendent of Police,
Ramanathapuram District.
2. The Deputy Superintendent of Police,
O/o.the Deputy Superintendent of Police,
Ramanathapuram Sub Division,
Ramanathapuram District.
3. The Inspector of Police,
Bazaar police station, Ramanathapuram District.
4. Jegan
5. K.Balasubramaniyan

... Respondents

Prayer: Habeas Corpus petition is filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, to direct the respondents 1 to 3 for production of the person or body of the detenu by name R.Prakathi, D/o.Rasu, aged about 26 years before this Court and set her at liberty.



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H.C.P.(MD)NO.146 OF 2025



For Petitioner : Mr.Dr.R.Alagumani
For Respondents : Mr.T.Senthil Kumar,
Additional Public Prosecutor.

* * *

ORDER

(Order of the Court was delivered by G.R.SWAMINATHAN, J.)

Heard both sides.

2. The petitioner earlier filed H.C.P.(MD)No.1374 of 2024. It was dismissed by me on 02.12.2024 in the following terms:-

“Heard the learned counsel on either side.

2. The petitioner is the mother of the detenu who is aged about 26 years. The petitioner's daughter fell in love with the third respondent and got married to him on 10.09.2021. No children was born through the wedlock. The petitioner's daughter left the matrimonial home on 03.06.2024. The mother's complaint has been registered by the second respondent in Crime No.172 of 2024.

3. It is for the petitioner to pursue her remedy with the second respondent. The second respondent is directed to take earnest efforts to trace the missing woman. This Habeas Corpus petition is disposed of accordingly.”

3. In these circumstances, the second HCP on the same cause of action will not arise. If the petitioner is not happy with regard to the



investigation of the case, the petitioner can very well file petition under

Section 482 Cr.P.C. and pursue her remedy.

4. With the aforesaid remedy, this Habeas Corpus petition stands dismissed. No costs.

(G.R.SWAMINATHAN, J.) & (R. POORNIMA, J.)
31st January 2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
PMU

To:

1. The Superintendent of Police,
O/o.the Superintendent of Police,
Ramanathapuram District.
2. The Deputy Superintendent of Police,
O/o.the Deputy Superintendent of Police,
Ramanathapuram Sub Division,
Ramanathapuram District.
3. The Inspector of Police,
Bazaar police station, Ramanathapuram District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



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H.C.P.(MD)NO.146 OF 2025

G.R.SWAMINATHAN, J.

AND

R. POORNIMA, J.

PMU

H.C.P.(MD)No.146 of 2025

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