



H.C.P.(MD)No.81 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.01.2025

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

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Kamatchiyammal

... Petitioner

Vs.

1.State of Tamil Nadu,
Rep. by the Superintendent of Police,
Virudhunagar District,
Virudhunagar.

2.The Inspector of Police,
Amathur Police Station,
Virudhunagar District.

3.Ondiveeran

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the person or body of detainee namely Velammal daughter of Kamatchi Chettiar, aged about 47 years before this Court and set her at liberty.



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For Petitioner : Mr.R.Ponkarthikeyan

For Respondents : Mr.E.Antony Sahaya Prabahar,
Addl. Public Prosecutor for R1 & R2.

ORDER

(Order of the court was delivered by G.R.Swaminathan, J.)

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents 1 and 2.

2.The petitioner claims that her daughter / Velammal is missing. She lodged a complaint before the second respondent. It was registered as Crime No.306 of 2024. Since the daughter had not been traced till date, this habeas corpus petition came to be filed.

3.When the matter was taken up for hearing, the learned Additional Public Prosecutor submitted that the petitioner's daughter was given in marriage to one Nagaraj in the year 2002. A female child was born and she has also been given in marriage. Later, the petitioner's daughter left the matrimonial home and was living with one Karuppasamy who is a



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owner of a fireworks factory. Later, she left Karuppasamy also and she is now living with the third respondent / Ondiveeran. The categorical stand of the police is that it is a clear case of elopement.

4.We are satisfied that this habeas corpus petition is not maintainable and it stands dismissed.

(G.R.S. J.) & (R.P. J.)
22.01.2025

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

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



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