



H.C.P(MD) No.398 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.06.2025

CORAM:

THE HONOURABLE **MR.JUSTICE A.D.JAGADISH CHANDIRA**

AND

THE HONOURABLE **MS.JUSTICE R.POORNIMA**

H.C.P(MD)No.398 of 2025

Valarmathi

... Petitioner

-Vs-

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

2.The Inspector of Police,
Thattarmadam Police Station,
Thoothukudi District.
(Crime No.55 of 2025)

... Respondents

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents 1 & 2 herein to produce the body or person of detenu by name Nisha @ Gandhimathi, D/o.Sundaralingam, aged about 17 years, who has been illegally detained by the person, who had come in touch through Instagram and produce her before this Court and hand over her custody to the petitioner.



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For Petitioner : Mr.R.Ilayaraja
For R1 & R2 : Mr.B.Nambi Selvan
Additional Public Prosecutor

ORDER

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

This petition has been filed by the petitioner seeking for a direction directing the respondents 1 & 2 herein to produce the body or person of detainee by name Nisha @ Gandhimathi, D/o.Sundaralingam, aged about 17 years, who has been illegally detained by the person, who had come in touch through Instagram and produce her before this Court and hand over her custody to the petitioner.

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

3. Alleging that the petitioner's daughter, aged about 17 years was missing from 18.03.2025, she had given a complaint to the respondents and a case has been registered in Cr.No.55 of 2025 as 'Girl Missing' and since no action has been taken by the respondents to secure the detainee, the present habeas corpus petition has been filed.

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4. The learned counsel appearing for the petitioner would submit that the petitioner's daughter born on 07.04.2007 and on the date of missing, she was a minor. The respondent police despite registering a case in Cr.No.55 of 2025, have not taken any action, thereby, the petitioner, who is the mother of the detenue, has filed the present habeas corpus petition.

5. When the matter was listed on 24.06.2025 it was reported by the learned Additional Public Prosecutor that the missing girl was born on 07.04.2007 and she has got acquainted with one Harikrishnan, son of Sankar, who was residing at Krishnagiri District, through social media and they were in love with each other and on 18.03.2025 she had gone on her own volition along with the said Harikrishnan. The respondent police had contacted the missing girl and she had informed that she has completed the age of 18 years and she stayed along with Harikrishnan and the said Harikrishnan has not crossed 21 years and hence, their marriage could not be registered.

6. Pursuant to the same, the missing person is produced before this Court. We enquired her and she stated that she was born on 07.04.2007 and as on date, she is a major and she further submitted that she got acquainted with one Harikrishnan through Instagram and she has gone along with Harikrishnan and



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staying with him. She would further submit that the love affair between them is known to the parents of the Harikrishnan and they have approved the same and have agreed to conduct the marriage.

7. Harikrishnan along with his mother Mrs.Poongavanam are present before this Court. Mrs.Poongavanam submitted that she is aware of the love affair between her son Harikrishnan and missing person and since he has not completed 21 years they are taking steps to get the marriage registered after their son completes 21 years.

8. Having heard the parties and finding that the missing person is not under illegal custody this Habeas Corpus Petition stands closed.

[A.D.J.C., J.] & [R.P., J.]
25.06.2025

NCC:Yes/No
Index:Yes/No
am



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To

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



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A.D.JAGADISH CHANDIRA, J.

AND

R.POORNIMA, J.

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