



H.C.P.(MD) No.458 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2025

CORAM:

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

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M.Arumugam

... Petitioner/
Father of the Detenue

-VS-

1.The State of Tamil Nadu Represented by its,
The Superintendent of Police,
Dindigul District.

2.The Inspector of Police,
Kannivadi Police Station,
Dindigul District.

3.Thangapandi

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the 1st and 2nd respondents to produce the person or body of the Detenue namely, Minor Yamuna aged about 17 years, daughter of Arumugam and hand over the detenue to the petitioner.



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For Petitioner : Mr.A.Aruljenifer

For Respondents : Mr.B.Nambi Selvan (for R1 & R2)
Additional Public Prosecutor

ORDER

[Order of the Court was made by A.D.JAGADISH CHANDIRA, J.]

This petition is filed to direct the respondents 1 and 2 to produce the person or body of the Detenue namely, Minor Yamuna aged about 17 years, daughter of Arumugam and hand over the detenue to the petitioner.

2.The case of the petitioner is that he got married 26 years ago and out of wedlock, he got a son and a daughter/detenue, who is aged about 17 years. The wife of the petitioner had passed away about four years ago and thereby, the daughter was living along with her grandmother. While so, his daughter went missing on 10.04.2023. The petitioner's mother-in-law had given a complaint before the Singampunari Police Station. Based on the complaint given by the petitioner's mother-in-law, a case in Crime No.60 of 2023 was registered under



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the caption “Women Missing”. During the course of investigation, it came to light that the third respondent had abducted the petitioner's daughter and committed offence under Sections 5 and 6 of the POCSO Act. The petitioner's daughter was secured and final report was filed and the case was proceeded against the third respondent in Spl.S.C.No. 77 of 2023 on the file of the FTC, Sivagangai. During the trial, the petitioner's daughter had given a evidence against the third respondent. Therefore, the third respondent absconded and NBW was issued against him and the same is pending. Subsequently, the petitioner had taken back his child from his mother-in-law and she was with him. While so, on 20.03.2025, the petitioner's daughter went missing. Thereafter, the petitioner had given another complaint. Based on which, a case in Crime No.88 of 2025 was registered by the respondent Police. During the course of investigation, it came to light that once again the third respondent abducted the petitioner's daughter. Since no action has been taken by the respondent Police, the present Habeas Corpus Petition is filed.

3.When the matter was listed on 08.07.2025, it was reported by the learned Additional Public Prosecutor that the detenue/petitioner's daughter has completed



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18 years and thereafter, she got married to the third respondent at Balathandayuthapani Temple, Vadipatti and that she had informed the respondent police that she would appear before this Court. Pursuant to the same, the matter is listed today, the detinue/petitioner's daughter has been produced before this Court.

4. We enquired the detinue. During the course of enquiry, she stated that she had gone out of the home on her own volition and the third respondent is known to her and there was a love affair between her and the third respondent. Since her father attempted to arrange marriage against her wish, she had earlier gone along with the third respondent and she had given the evidence against the third respondent in the earlier case, at the instigation of her father. She further submitted that she had on her own volition gone along with the third respondent and now she has attained majority and she is not under illegal detention of anybody and she has expressed her willingness to go along with her mother-in-law namely, Panju, who is the mother of the third respondent herein.



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Hence, this Habeas Corpus Petition stands closed. The respondent police shall continue with the further investigation in Crime No.88 of 2025.

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

09.07.2025

NCC : Yes / No
Index : Yes / No
vsg

To:

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



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R.POORNIMA, J.

vsg

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