



H.C.P(MD) No.487 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.07.2025

CORAM:

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

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M.Aarayi

... Petitioner/
mother of the detenue

-Vs-

- 1.The Superintendent of Police,
Sivagangai District,
Sivagangai.
- 2.The Inspector of Police,
Nachiyarpuram Police Station,
Sivagangai District.
- 3.Rakkappan
- 4.Mechi
- 5.Prakashraj
- 6.Prathap
- 7.Praveenraj
- 8.Ramya
- 9.Paruthi

... 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 to produce the body or person of the detenu namely Uma Maheswari, D/o.Murugan, aged about 17 years and hand over the custody of the detenu to the petitioner.

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For Petitioner : Mr.A.Mohamedhaneef
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 to produce the body or person of the detenu namely Uma Maheswari, D/o.Murugan, aged about 17 years and hand over the custody of the detenu to the petitioner.

2. The case of the petitioner is that due to misunderstanding with her husband, she was staying with her brother the third respondent along with her daughter for the past eight months. When she had gone to the house of her brother she has taken Rs.1,50,000/- in cash, 30 sovereigns of jewels and other certificates along with her. The fourth respondent, who is the wife of her brother, taken responsibility to all the above mentioned items. While so, the fifth respondent, who is the son of her brother had started to harass the petitioner to get her



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daughter married to him. On 04.02.2025 the petitioner had asked her husband to come to her brother's house and take her daughter back. Subsequently, her husband came to her brother's house to take them back. At that time, the petitioner requested the respondents 3 & 4 to return all the valuable items. During such time, there was an argument between the petitioner and her sister-in-law/the fourth respondent. During the aforesaid argument, her minor daughter Umamaheswari suddenly went missing. Therefore, the petitioner has made a complaint to the second respondent police against the respondents 3 to 9. Based on the complaint, the second respondent has registered a case in Cr.No.23 of 2025 for 'girl missing'.

3. It is a further case of the petitioner that despite a specific complaint of missing of the petitioner's daughter and refusal to give back the valuables, the second respondent police has not taken any steps and thereby, the petitioner has sent a complaint to the first respondent. Later, she came to know that the respondents 3 to 5 were keeping her daughter under illegal custody. Since no action has been taken by the respondent police, the petitioner has filed the present habeas corpus petition.



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4. When the matter was listed on 24.06.2025 it was reported by the learned Additional Public Prosecutor that during the course of investigation, it came to light that the alleged missing girl had gone along with the fifth respondent, who is the relative of the petitioner and that steps are being taken by the respondent police to secure them. Pursuant to the same, the missing girl is produced before this Court.

5. The learned Additional Public Prosecutor submitted that the missing person is a minor aged about 17 years and she was abducted by the respondents 3 to 9 and they have also performed a marriage with the fifth respondent against her wish on 26.06.2025. Finding that the missing girl is minor and the marriage had been performed against her wish by the respondents 4 & 5 were arrested and the victim girl is produced before this Court.

6. We enquired the missing person. During enquiry, she informed that the respondents 3 to 8 are her relatives and the 9th respondent is a family friend of their relatives. It is submitted that while she was staying in her uncle's house, she was forcibly taken by the fifth respondent and the respondents 3 & 4 have also refused to return the jewels and cash belonging to her mother. She further expressed her willingness to go along with the petitioner/mother. Finding that the



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missing girl has been secured and she has expressed her willingness to go along with her mother, this habeas corpus petition is closed. The respondent police are directed to continue with the investigation in Cr.No.23 of 2025 in accordance with law.

[A.D.J.C., J.] & [R.P., J.]
08.07.2025

NCC:Yes/No
Index:Yes/No
am

To

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



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AND

R.POORNIMA, J.

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