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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

H.C.P(MD)No.652 of 2025

M.Deivakani

... Petitioner/
Mother of the Detenue

-Vs-

1.The State of Tamil Nadu,
Rep by the Commissioner of Police,
Tirunelveli City,
Tirunelveli.

2.The State of Tamil Nadu,
Rep by the Inspector of Police,
D 1 Police Station,
Palayamkottai,
Tirunelveli District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents police to produce the petitioner's daughter namely Valarmathi, D/o.Murugan(Late),



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W/o.Sanniyasi(Late) aged about 40 years before this Court and set her at liberty forthwith.

For Petitioner : Mr.A.D.Ganeshamoorthi
For Respondents : Mr.B.Nambi Selvan,
Additional Public Prosecutor

ORDER

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

This petition is filed to direct the respondents police to produce the petitioner's daughter namely Valarmathi, D/o.Murugan(Late), W/o.Sanniyasi(Late), aged about 40 years before this Court and set her at liberty forthwith.

2.The case of the petitioner is that she is the mother of one Valarmathi, who is aged about 40 years old, and married one Sanniyasi and due to wedlock, they blessed with two children viz., Mathukumar and Pushpalatha respectively. Later, the petitioner's son-in-law died due to illness and that the alleged missing person and the children were under the petitioner's custody. While so, on 25.09.2023, the petitioner's daughter gone to the vegetable market along with her



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son and thereafter she went missing abandoning her son in the market. The petitioner had given a complaint on 10.02.2025 in person and the respondent police did not take any action. Subsequently, the petitioner had sent another complaint dated 02.05.2025. Since no action has been taken, the present Habeas Corpus Petition is filed.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

4. When the matter came up for hearing today, the learned Additional Public Prosecutor appearing for the respondent police, on instruction, submitted that the missing person had married one Sanniyasi and her husband had passed away four years back. Earlier the petitioner had given a complaint in respect of missing of her daughter in the year 2023 and that a case in Crime No.1109 of 2023 has been registered by the second respondent police and during the course of enquiry, the missing person was secured and during enquiry, she had stated that she had gone on her own volition and hence, the earlier complaint was closed. Subsequently, the petitioner had filed the present complaint and during enquiry,



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the alleged missing person is secured and she is produced before this Court.

5.We enquired the alleged missing person, she stated that she was married to one Sanniyasi and he was passed away four years ago and that she was living with her mother and during that time she got acquainted with one person viz., Rajaguru and she is living with the said person on her own accord and she is not under any illegal detention of anybody. She has expressed her unwillingness to go along with her mother, the petitioner herein.

6.Recording the same and finding that the alleged missing person is a major and not under illegal detnetion, the Habeas Corpus Petition stands closed.

[A.D.J.C.,J.] & [R.P.,J.]
16.06.2025

NCC:Yes/No
Index:Yes/No
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To

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- 2.The State of Tamil Nadu,
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D 1 Police Station,
Palayamkottai,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.S



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A.D.JAGADISH CHANDIRA, J.
AND
R.POORNIMA.,J.

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ORDER MADE IN

H.C.P(MD)No.652 of 2025

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