

H.C.P.(MD)No.741 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 15.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

H.C.P.(MD)No.741 of 2025

M.Pothumponnu

... Petitioner

-Vs-

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

2.The Inspector of Police,
Kallimanthayam Police Station,
Oddanchatram Taluk,
Dindigul District.

... Respondents

PRAYER: Petition is 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 secure the person or body of the detainee by name Abi, D/o.Murugan, aged about 18 years and to produce the same before this Court and set her at liberty.



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For Petitioner : Mr.R.Murugan

For Respondents : Mr.A.Thiruvadikumar,
Additional Public Prosecutor

ORDER

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

This habeas corpus petition is filed seeking a direction to the respondents 1 and 2 to secure the person or body of the detenue, Abi, D/o.Murugan, aged about 18 years and to produce the same before this Court and set her at liberty.

2.The case of the petitioner is that her daughter, Abi, aged about 18 years, was working in Classic Affairs, an Unit of Ammaiappar Group of Companies, at Palani. On 25.05.2025, the petitioner's daughter went missing and they were unable to trace her and thereby, the petitioner has given a representation before the Kalaiyarkovil Police Station on 25.05.2025. Subsequently, the Inspector of Police, Kalaiyarkovil Police Station had advised the petitioner to approach the second respondent police station and therefore, the petitioner had sent a representation through registered post to the second respondent on 12.06.2025. However, no action was taken by the second respondent. While so, when the petitioner had gone to the company, where his daughter was working, she came to

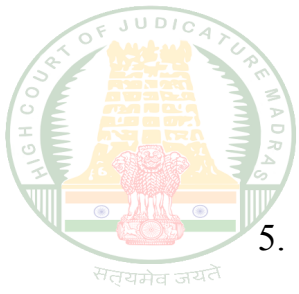


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know that a person, who was working along with her daughter, was also found missing and his phone number is 8870354669. The respondents, who are duty bound to conduct enquiry to trace her daughter, have not taken any action. Therefore, the petitioner has preferred this Habeas Corpus Petition.

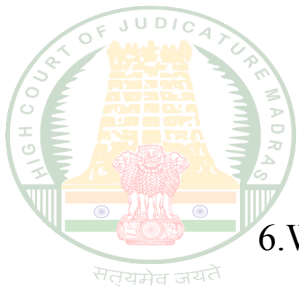
3.The affidavit has been sworn on 19.06.2025. When the matter has been listed on 04.07.2025, it was submitted by the learned Additional Public Prosecutor appearing for the respondents that the respondent registered a case in Crime No. 122 of 2025, on 25.06.2025 and that they are taking steps to find out the whereabouts of the missing girl and it was also informed that the detainee was traced somewhere near Avadi, in Thiruvallur District and thereby, the matter was adjourned by two weeks.

4.Today, in the morning, it was mentioned by the learned Additional Public Prosecutor that the team of police officials belonging to second respondent police station have traced the missing girl near Avadi at Poochi Athipedu within the jurisdiction of Vengal Police Station, Tiruvallur District and she was secured and they have produced her before this Court. Thereby, the case is taken up today.



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5. We enquired the missing girl and she stated that she was born on 30.03.2006 and as on date, she has completed 19 years. She further stated that she was working in Classic Affairs Company and one Pasupathi was her colleague and she fell in love with him and when the matter came to the knowledge of her parents, they had started troubling her and her family members were also against the love affairs and thereby, on 25.05.2025, she had gone along with her colleague, Pasupathi on her own volition and that she has been living at Poochi Athipedu in Thiruvallur District. She further stated that the petitioner and entire family members are aware of the fact that she has gone along with the said Pasupathi and that her uncle, Murugan and his wife, Malar had met her on 10.06.2025 at Pasupathi's residence and thereafter, on 14.06.2025, her mother, the petitioner herein along with her husband and others had come to Poochi Athipedu and met her and they also compelled her to come along with them, however, she has refused to go along with them. She further stated that the family members have also threatened to harm the said Pasupathi and the petitioner/her mother knowing well that she had on her own volition gone along with Pasupathi, had filed the Habeas Corpus Petition with false averments as if they are unable to trace out her whereabouts.



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6. We enquired the petitioner also. She admitted that she is aware of the love affairs of her daughter with the said Pasupathi and she also admitted to have visited the residence of Pasupathi at Poochi Athipedu prior to the filing of the habeas corpus petition. We find that the process of this Court has been abused by the petitioner and thereby, the police has been put to unnecessary trouble and expenses. Therefore, there is an abuse of process committed by the petitioner. Accordingly, this Habeas Corpus Petition is dismissed with a cost of Rs.10,000/-, which shall be paid to the Director General of Police, Mylapore, Chennai-04, having account at the State Bank of India, Triplicane, in Account No. 10232923781, IFSC No.SBIN0000249, within a period of two weeks from today. The Inspector of Police, Vegal Police Station, Thiruvallur District, is directed to give sufficient protection to Abi and Pasupathi, who are living within their jurisdiction.

7. For reporting compliance, post the matter on 31.07.2025.

[A.D.J.C., J.] & [R.P., J.]
15.07.2025

NCC : Yes / No
Index : Yes / No
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To

- 1.The Superintendent of Police,
Dindigul District,
Dindigul.
- 2.The Inspector of Police,
Kallimanthayam Police Station,
Oddanchatram Taluk,
Dindigul District.



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