



H.C.P(MD)No.737 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.06.2025

CORAM:

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

AND

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

H.C.P(MD)No.737 of 2025

Chitra

... Petitioner/
Mother of the detenue

-Vs-

- 1.The State of Tamil Nadu, by
The Superintendant of Police,
The Superintendent of Police Office,
Madurai,
Madurai District.
- 2.The Deputy Superintendant of Police,
The Deputy Superintendant of Police Office,
Tirumangalam Sub Division
Madurai District.
- 3.The Inspector of Police,
Tirumangalam Taluk Police Station,
Madurai District.

... Respondents



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PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents No.1 to 3 to produce the person or body of the petitioner's daughter named Venkadeshwari, D/o.Adhinarayanan, aged about 23 years old before this Court and set her at liberty.

For Petitioner : Mr.K.Sujith

For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

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

The Habeas Corpus Petition is filed for a direction to the respondents No.1 to 3 to produce the person or body of the petitioner's daughter namely Venkadeshwari, D/o.Adhinarayanan, aged about 23 years old before this Court and set her at liberty.

2.The case of the petitioner is that her daughter viz., Venkadeshwari got married to one Vijayprakash on 28.05.2025 and that on 16.06.2025, when her daughter had gone along with her husband to his relative house of Vidathakulam



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Village, some four persons have intercepted them and kidnapped her daughter. Therefore, the petitioner's son-in-law Vijayaprakash had given a complaint to the third respondent, based on which, a case has been registered in Crime No.92 of 2025. Further, at the time of kidnapping, her daughter was wearing 12 sovereign of gold jewels. The respondent police, after registering the case, has not taken any action and thereby, the petitioner had sent a complaint to the first respondent. Since no action has been taken by the respondents, the petitioner has filed the present Habeas Corpus Petition.

3.The learned counsel appearing for the petitioner would submit that the petitioner's daughter while going along with her husband to his relative house of Vidathakulam Village, they were intercepted and his daughter was kidnapped and based on the complaint given by her son-in-law, a case in Crime No.92 of 2025 was registered. Since no action had been taken by the respondents, the petitioner has come up before this Court by filing the Habeas Corpus Petition.

4.The learned Additional Public Prosecutor, on instructions, submitted that the petitioner is the mother of the missing person viz., Venkadeshwari. The said



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Venkadeshwari was married to one Vijayaprakash on 28.05.2025. The said Vijayaprakash along with his wife while returning from her aunt's house, were said to be intercepted by four persons and they have kidnapped his wife. Based on the complaint, a case was registered for offence under Sections 126(2), 115(2) and 87 BNSS.

5.During the course of investigation, it came to light that the petitioner's daughter was taken by one Ramesh and his friends, who were known to her. They were called for enquiry and during enquiry, the missing person appeared before the third respondent police station and gave a statement that she was in love with the said Ramesh of Sungurampatti and her parents who did not accept the same, had compelled her to get married to one Vijayaprakash on 28.05.2025 against her wish and since she was not interested in the said marriage, she had on her own volition gone along with her friend Ramesh and that she was not kidnapped by anybody. The petitioner and her son-in-law, who had come before the Station, had also gave a statement that they will not interfere in the life of the girl and at that time of enquiry at the police station, the husband Vijayaprakash and the mother of the missing person, the petitioner herein, had taken back all the jewels worn by



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the missing person Venkadeshwari. The missing person had given a representation to the respondent stating that since her husband Ramesh belongs to a different community, they would face life threat from her husband Vijayaprakash and his relatives. The petitioner, who is well aware of all the proceedings, had come up with the false averments as if no action has been taken by the respondent.

6.Today the missing person is produced before this Court.

7.We enquired the missing person, she stated that she was in love with one Ramesh and that on account of caste differences, her mother and her family members had compelled her to get married to one Vijayaprakash. Since she was not interested in the marriage, she had on her own volition gone along with the said Ramesh. She further stated that she had returned back all the jewels to her mother, petitioner herein. She had expressed her willingness to go along with the said Ramesh and refused to go along with he mother.



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8.We find that the petitioner, who is well aware of the registration of the case and subsequent enquiry, had come up before this Court making false averments against the respondents. We find that the petitioner has abused the of process of Court, by filing this false and vexatious petition knowing fully well that her daughter is not in illegal detention. The Habeas Corpus Petition stands dismissed with cost of Rs.10,000/-. The petitioner is directed to pay a cost of Rs.10,000/ to the Sakthi Vidiyal Home, Muthupatti, Pykara, Madurai, within a period of one week from the date of receipt of a copy of this order and the receipt shall be produced before the Registry within 10 days.

9.Post the matter 'for reporting compliance'.

[A.D.J.C.,J.] & [R.P.,J.]
27.06.2025

NCC:Yes/No
Index:Yes/No
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To

- 1.The State of Tamil Nadu, by
The Superintendant of Police,
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Madurai,
Madurai District.
- 2.The Deputy Superintendant of Police,
The Deputy Superintendant of Police Office,
Tirumangalam Sub Division
Madurai District.
- 3.The Inspector of Police,
Tirumangalam Taluk Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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

Ns

ORDER MADE IN
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