



H.C.P(MD)No.777 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.07.2025

CORAM:

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

AND

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

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J.M.Ismail

... Petitioner/
Grand father of the detenue

-Vs-

The State of Tamil Nadu,
1.The Superintendent of Police,
Office of the Superintendent of Police,
Thanjavur.

2.The Inspector of Police,
Thanjavur East Town Police Station,
Thanjavur.

... Respondents

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents herein to produce the body or person of the petitioner grand daughter Ribaya Sahin, D/o.Kadar Oli, aged about 19 years before this Court and set her at liberty within the time stipulated by this Court.



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For Petitioner : Mr.S.Ramakrishnan
For Respondents : Mr.B.Nambi Selvan
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 to produce the body or person of the petitioner grand daughter viz., Ribaya Sahin, D/o.Kadar Oli, aged about 19 years before this Court and set her at liberty within the time stipulated by this Court.

2.The case of the petitioner is that he is the grandfather of the missing person viz., Ribaya Sahin, aged about 19 years. On 07.06.2024 the grand daughter was missing and that the petitioner had given a complaint on 08.06.2024 and thereafter, the police secured the missing person and handed over the custody to the grandfather on 04.07.2024 and she was living without any disturbance. While so, on 16.02.2025 at about 11.00 a.m., the grand daughter had gone to the fancy shop and had not returned back to the home. Therefore, the petitioner had given a complaint on 16.02.2025 explaining all the facts and requested to trace



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about the whereabouts of the missing grand daughter. Based on which, the respondent police had registered a case in Crime No.92 of 2025 and despite lapse of four months, they have not taken any steps to find out the whereabouts of the grand daughter, hence, the petitioner has filed the present Habeas Corpus Petition.

3. When the matter is taken up for hearing today, the learned Additional Public Prosecutor submitted that the petitioner is the grandfather of the missing person, aged about 19 years. The missing person earlier went missing on 07.06.2024 in respect of which, a complaint has been given by the petitioner's daughter and a case was registered in Crime No.566 of 2024. Further, the petitioner's daughter earlier had filed HCP No.805 of 2024 before this Court and during the course of enquiry, the missing person was traced along with one Baranidharan and she was handed over to the parents and the petitioner's daughter had withdrawn the said HCP stating that her daughter had return back home and thereby HCP was dismissed as withdrawn. Subsequently, the petitioner's grand daughter was missing on 16.02.2025. Though the girl was missing on 16.02.2025, a complaint has been preferred by the petitioner only on 03.04.2025, based on which, a case in Crime No.92 of 2025 has been registered by the respondent



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under Woman missing.

4.During the course of investigation, it came to light that the petitioner's grand daughter had once again gone with Baranidharan, who is a Gym trainer in the name of Army Coaching Centre and the respondent police are taking steps to find out the whereabouts of the missing person and the said Baranidharan. Their mobile phones were switched off and the respondents are continuing with the investigation.

5.In view of the above, we find that it is not a case of abduction and there is no material to show that the missing person is under illegal detention and the Habeas Corpus Petition stands closed with a direction to the Deputy Superintendant of Police, Thanjavur Town Police Station, to monitor the investigation and find out the whereabouts of the missing person.

[A.D.J.C.,J.] & [R.P.,J.]
01.07.2025

NCC:Yes/No
Index:Yes/No
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To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Thanjavur.
- 2.The Inspector of Police,
Thanjavur East Town Police Station,
Thanjavur.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 4.The Deputy Superintendant of Police,
Thanjavur Town Police Station.



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

Ns

ORDER MADE IN

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07.07.2025