



H.C.P(MD)No.814 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

H.C.P(MD)No.814 of 2025

Rajeshwari

**... Petitioner/
Mother of the detenue**

-Vs-

**1.The State of Tamil Nadu rep. By
The Superintendant of Police,
Office of the Superintendant of Police,
Madurai Distirct.**

**2.The Inspector of Police
Samayanallur Police Station,
Madurai Distirct.
(Crime No.115 of 202)**

... Respondents

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, to direct the 2nd respondent to produce the person or body of the petitioner's daughter namely Sowmiya, D/o.Ganapathy, aged about 18 years and produce before this Court and set her at liberty.



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For Petitioner : Mr.S.Baskar Mathuram
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 second respondent to produce the person or body of the petitioner's daughter namely Sowmiya, D/o.Ganapathy, aged about 18 years and produce before this Court and set her at liberty.

2.It is the case of the petitioner that on 21.06.2025, the petitioner went to Chekkanurani, leaving her daughter viz., Sowmiya, aged about 18 years, alone in the home and returned back to home at 11.30, a.m., found that her daughter was missing. Therefore, the petitioner lodged a complaint in respect of missing of her daughter on 23.06.2025 and the respondent police have registered a case in Crime No.115 of 2025 under Woman missing. However, the respondent police had not taken any action, the petitioner has filed the present Habeas Corpus Petition.



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

4.When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondent police submitted that on the basis of the complaint given by the petitioner, a case in Crime No.115 of 2025 was registered under Woman missing. During the course of investigation, it came to light that the petitioner's daughter was in love with one Siva @ Jeeva, S/o.Aandavar, residing at Thiyagaraja Nallur Village. The missing person and the said Siva @ Jeeva were called to the police station and finding that the daughter of the petitioner was not in illegal detention and she was allowed to go with the mother of the said Siva @ Jeeva, as per her wish. The petitioner was also called to the police station during the time of enquiry and that she is also aware that her daughter, on account of on her own volition went along with the said Siva @ Jeeva and that the petitioner had requested the police not to take any further action, based on the complaint dated 23.06.2025 and hence, the said complaint was closed.



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5.We find that the alleged missing person is not in illegal detention. The petitioner had been called to the police station on 02.07.2025 and she is aware that her daughter was not in illegal detention and she had also expressed her willingness to go along with the mother of the said Siva @ Jeeva, whereas the petitioner, suppressing all the facts, has filed the HCP only on 10.07.2025. It is a case, where we should have imposed heavy cost on the petitioner. However, taking into consideration the petitioner is a coolie, we are not imposing the cost.

6.In view of the above, this Habeas Corpus Petition stands dismissed.

[A.D.J.C.,J.] & [R.P.,J.]
16.07.2025

NCC:Yes/No
Index:Yes/No
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Madurai Bench of Madras High Court,
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A.D.JAGADISH CHANDIRA, J.
AND
R.POORNIMA.,J.

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ORDER MADE IN
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