



H.C.P(MD)No.1343 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.11.2025

CORAM:

**THE HONOURABLE Mr.JUSTICE C.V.KARTHIKEYAN
and
THE HON'BLE Mr.JUSTICE R.VIJAYAKUMAR**

H.C.P.(MD) No.1343 of 2025

Nagalakshmi

... Petitioner

Vs

1. The Commissioner of Police,
Madurai District, Madurai.

2. The Inspector of Police,
Avaniyapuram Police Station,
Madurai District

... Respondents

PRAYER :-Habeas corpus Petition filed under Article 226 of the Constitution of India to direct the 2nd respondent to produce the body or person of petitioner's daughter namely Jothirani, W/o.Elayaraja aged about 33 years before this court and set her at liberty.

For Petitioner : Mr.K.Sathishkumar

For Respondents : Mr.A.Thiruvadikumar

Additional Public Prosecutor

ORDER

(Order of the Court was made by C.V.KARTHIKEYAN,J.)

The petition has been filed by the mother complaining that her daughter had been missing on and from 27.10.2025. She had given a complaint to the 2nd respondent on 29.10.2025 and thereafter she had



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filed the present petition.

2. Today, it had been informed that the daughter of the petitioner had been secured and she had been brought to the Court. She stated that she is eking out her livelihood at Chennai and would prefer to stay at Chennai and make a living. The petitioner is also present. She stated that it would be difficult for her to look after the two children of her daughter, who are very young and require education and also companionship at this age.

3. We had referred the matter to the Mediation and Conciliation Centre attached to this Bench and they had brought out a settlement, which we would reduce as follows:

“DATE: 19/11/2025

Undertaking Given by the Detenue Jothi Rani

I hear by undertake that I will not disturb the possession and enjoyment of my mother and children who are residing at Vallanathapuram, J.J.Nagar Madurai-12. first strret, Avaniyapuram,

1 further undertake that I shall execute a settlement deed in favour of my children namely Ashwin and Janani in resect of the property mentioned above as it stands in my name.



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I undertake that I will also provide necessary financial assistance for their studies to my children till they attain majority according to my income.

The property which I am going to settle in my children name should not be sold by any one till both of them attain majority.

Since I am executing the settlement deed in favour of my children, I shall be absolved from paying the EMI amount from the date of settlement deed.

Sd/
Detenue”

“DATE: 19/11/2025

Undertaking Given by the Petitioner

I hear by undertake that I will not disturb My daughter in her day to day life wherever she lives.

I hear by undertake that if my daughter give any money to me

I will use that only for the welfare of the minor children till they attain majority.

sd/-
Petitioner”

4. After the mediation, the report had been placed before us. We had again called the petitioner and her daughter and informed about their understanding and also undertaking given before the Mediation Centre. They were quite clear as to the nature of undertaking.



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5. The learned Additional Public Prosecutor however had also taken special steps for the welfare of the two children, taking into consideration their tender age and the financial difficulties to which the petitioner and her daughter are put, he had come forward with a suggestion to admit the two children at Government Annai Sathya Children Home at Dr.Thangaraj Salai, K.K.Nagar, Madurai 625 020, which is run by the Madurai District Child Welfare Committee. We had given this option to the petitioner herein and we are confident that whenever she is in need of help, she may approach the authority/Child Welfare Committee and they would take necessary care as per the requirement at that particular stage.

6. As on date, both the parties have taken a decision as to how they would lead their life. But the scope of the Habeas Corpus Petition is only to secure the detainee and the respondents having secured the detainee, who is also not in illegal confinement of anybody, after recording the above statements, we would close the Habeas Corpus Petition.



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7. Accordingly, the Habeas Corpus Petition stands closed.

(C.V.K., J.) (R.V., J.)
19.11.2025

Index : Yes / No
NCC : Yes / No
RR

To

1. The Commissioner of Police,
Madurai District
Madurai.

2. The Inspector of Police,
Avaniyapuram Police Station,
Madurai District

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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C.V.KARTHIKEYAN, J.
and
R.VIJAYAKUMAR, J.

RR

ORDER MADE IN
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