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H.C.P.No.355 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2026

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN
and
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

H.C.P.No.355 of 2026

M.Malarkodi

... Petitioner

Vs.

1. The Commissioner of Police,
Commissioner Office,
Sangagiri Main Road,
Annathanapatti,
Salem – 636 006.

2. The Deputy Commissioner of Police,
Deputy Commissioner Office,
Sangagiri Main Road,
Annathanapatti,
Salem – 636 006.

3. The Inspector of Police,
Deevattipetti Police Station,
Salem – 636 305.

... Respondents

Prayer: This Habeas Corpus Petition has been filed under Article 226 of the Constitution of India to issue Writ of Habeas Corpus to direct the respondents to produce the petitioner's father namely Jayakumar, aged 60 years before this Court and set him at liberty.

For Petitioner : Mr.M.Mahamani



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H.C.P.No. 2000 of 2020

For Respondents : Mr.A.Damodaran, Addl. Public Prosecutor
Assisted by Mr.M.Karthikeyan

ORDER

(Order of the Court was made by P.VELMURUGAN, J.)

This Habeas Corpus Petition has been filed seeking directions to the respondents to produce the petitioner's father namely Jayakumar, aged 60 years, before this Court and set him at liberty.

2 According to learned counsel for the petitioner, the petitioner is the only daughter of the detinue and since 2021 he was living with one Nithin Raj, who is the son of the detinue's brother. There was property dispute between the family members and from the year 2025 the whereabouts of the detinue is not known and the detinue may be under the illegal custody of the said Nithin Raj. Hence the present petition.

3 Learned Additional Public Prosecutor for the respondents would submit that the detinue is the father of the petitioner and initially she abandoned the detinue and the detinue was admitted in the orphanage namely Life Trust. The police report dated 11.04.224 shows that due to poor health ,the detinue died on 11.04.2021 itself.



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4 In view of the above submissions made by the learned Additional Public Prosecutor and the police report dated 11.04.2021, this Habeas Corpus Petition stands dismissed.

[PVJ]

[MJRJ]

26.02.2026

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To

1. The Commissioner of Police, Commissioner Office,
Sangagiri Main Road, Annathanapatti, Salem – 636 006.
2. The Deputy Commissioner of Police,
Deputy Commissioner Office, Sangagiri Main Road,
Annathanapatti, Salem – 636 006.
3. The Inspector of Police,
Deevattipetti Police Station,
Salem – 636 305.
4. The Additional Public Prosecutor, Madras High Court.



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P.VELMURUGAN. J.
and
M.JOTHIRAMAN, J.

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