



H.C.P(MD)No.446 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.05.2026

CORAM:

**THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

H.C.P(MD)No.446 of 2026

P.Kavitha

... Petitioner

Vs.

1.The Superintendent of Police,
Kanniyakumari District,
at Nagercoil.

2.The Inspector of Police,
All Women Police Station,
Kanniyakumari,
Kanniyakumari District.

3.Jayakumar

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, to direct the 1st and 2nd respondents to produce the person or body of the petitioner's daughter M.Sabari Eswari, D/o.Marimuthu, aged about 17 years before this Court and handover her custody to the petitioner.

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For Petitioner : Mr.G.Aravinthan
For RR 1 & 2 : Mr.R.M.Anbunithi
Additional Public Prosecutor
For R – 3 : Mr.B.William

ORDER

(Order of the Court was made by **G.K.ILANTHIRAIYAN, J.**)

This Habeas Corpus Petition has been filed seeking a direction to the respondents 1 and 2 to secure and produce the petitioner's daughter, namely, M. Sabari Eswari, before this Court.

2.Heard the learned counsel appearing on either side.

3.The petitioner is the mother of the detenue, who is aged about 17 years. She went missing from her house on 02.02.2026. Therefore, the petitioner lodged a complaint before the second respondent, based on which the second respondent registered an F.I.R. in Crime No.5 of 2026 under girl missing.



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4. On investigation, the second respondent found that the detainee had eloped with one Prashanth, who is also aged about 17 years, and that both of them had been staying together. Thereafter, the detainee was secured and the said Prashanth was apprehended and subsequently released on bail, since he is a minor.

5. The minor victim girl appeared before this Court and submitted that she is ready and willing to go with the petitioner, who is her mother. However, she expressed certain apprehensions about returning to her parental home.

6. This Court also enquired with the parents of the detainee. The apprehensions expressed by the detainee appear to be merely presumptive and may not have any factual basis.

7. The detainee further stated that she is willing to accompany her parents, subject to the condition that they shall not



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threaten her or act in any manner contrary to her interest and welfare.

8.In view of the above, considering the fact that the detinue/victim girl is a minor and is presently lodged in a home, the custody of the detinue is handed over to the petitioner/mother.

9.Accordingly, this Habeas Corpus Petition is disposed of.

[G.K.I.J.] & [K.R.S.J.]
13.05.2026

NCC : Yes/No
Index : Yes/No
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at Nagercoil.

2.The Inspector of Police,
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Kanniyakumari,
Kanniyakumari District.

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