



HCP(MD)No.600 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 07.05.2026

CORAM

**THE HON'BLE MR JUSTICE P.VELMURUGAN
AND
THE HON'BLE MR JUSTICE C.KUMARAPPAN**

H.C.P.(MD)No.600 of 2026

V.Bagavathi

... Petitioner

Vs

1. State Rep. by
the Superintendent of Police
Thoothukudi, Thoothukudi District

2.State represented by
Inspector of Police,
Thalamuthunagar Police Station,
Thoothukudi District

... Respondents

PRAYER :-Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus to direct the respondents 1 and 2 to secure petitioner's daughter C.Ponselvi aged 16 D/o.Chinnadurai and to produce the detenue's body or person before this court and hand over to the petitioner.

For Petitioner : M/s.S.Senthil
Sankaranathakumar

For Respondents : Mr.T.Senthilkumar
Additional Public Prosecutor



HCP(MD)No.600 of 2026

ORDER

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

The petitioner, who is the mother, has filed the present habeas corpus petition to secure her daughter, viz., Ponselvi, aged 16 years and produce her before this court.

2. The petitioner is the mother of the detainee. It is alleged in the affidavit that after the demise of the petitioner's husband, the petitioner had married one Vanniraj. One Paulraj, who is the brother of the 2nd husband of the petitioner, compelled the detainee, who is aged 16 years, to marry him. Hence, the petitioner has preferred a complaint before the 2nd respondent police and a case has also been registered in Crime No.159/2026 on 09.02.2026 for offences under Sections 296(b), 115(2), 74 and 351 of BNS and Section 4 of Tamilnadu Prohibition of Harassment of Women Act. It is also alleged that since the said Paulraj threatened them, there is a danger to their life.

3. When the matter came up for hearing today, the detainee was



HCP(MD)No.600 of 2026

secured and produced before this Court. She has stated that since the 2nd husband of the petitioner has misbehaved with her, she informed the same to the police. However, the police did not take any action against them. She had also stated that she is in love with the said Paulraj, who is the brother of her step father, which is a prohibited relationship. It is also brought to the notice of this Court that Vanniraj/step father also sexually harassed the detainee. It is also alleged that Paulraj had also misbehaved with the detainee.

4. From the statement made by the detainee, it is seen that the detainee had informed the above happenings to the petitioner/mother. However, the mother advised the detainee to adjust. Under these circumstances, if the detainee is sent along with her mother, it is against the interest and welfare of the detainee. Therefore, the respondent police are directed to keep the detainee in Muthukuviyal Home for Children, 176, Muthumalai Building, Maninagar 2nd street, Tuticorin 628003.

5. The respondent police shall also take steps to register a case against the said Paulraj and Vanniraj under the provisions of POCSO Act. The



HCP(MD)No.600 of 2026

respondent police is also directed to produce the detainee before the medical board for medical examination and a report shall be obtained and thereafter the detainee shall be sent to home.

6. With the above direction, the Habeas Corpus Petition is disposed of.

(P.V.,J.) (C.K.,J.)
07.05.2026

Index : Yes/No
Internet : Yes/No

RR

To

1.The Superintendent of Police
Thoothukudi, Thoothukudi District

2.The Inspector of Police,
Thalamuthunagar Police Station,
Thoothukudi District

3.Muthukuviyal Home for Children,
176, Muthumalai Building,
Maninagar 2nd street,
Tuticorin 628003.

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



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**P.VELMURUGAN,J.
AND
C.KUMARAPPAN, J.**

RR

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