SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com

A.C.Murugesan Vs. 1.State Represented by

A.C.Murugesan Vs. 1.State Represented by

SooperKanoon Citation : sooperkanoon.com/964332

Court : Chennai

Decided On : Jan-09-2013

Judge : M.Jaichandren

Appellant : A.C.Murugesan

Respondent : 1.State Represented by

Judgement :
BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT DATED:

09. 01/2013 CORAM THE HONOURABLE MR.JUSTICE M.JAICHANDREN and THE HONOURABLE MR.JUSTICE S.NAGAMUTHU H.C.P(MD)No.1474 of 2012 A.C.Murugesan .. Petitioner vs. 1.State represented by the Inspector of Polcie, Avaniyapuram Police Station, Madurai District. 2.The Superintendent of Police, Madurai District. 3.Manikandan .. Respondents Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus directing the respondents herein to produce the body or person of the petitioner's younger daughter "Thenmozhi", aged about 19 years, before this Court and set her at liberty. !For petitioner ... Mr.Sri Balaji ^For respondents 1 and 2... Mr.R.Ramachandran, Additional Public Prosecutor :ORDER (Order of the Court was made by M.JAICHANDREN, J) This Habeas Corpus Petition has been filed praying that this Court may be pleased to direct the the respondents to produce the detenue, namely, Thenmozhi, aged about 19 years, the daughter of the petitioner, before this Court and to set her at liberty.

2. It is stated that the detenue was studying in the first year B.Sc. Course, in Seermathaivasan Women's College, Chinnaudaipu, Madurai. While so, she had been missing from 24.02.2012. Thereafter, the petitioner had lodged a complaint before the first respondent, on 02.03.2012. Subsequently, the detenue had returned back to her house, on 22.3.2012. It has been further stated that the detenue had gone missing, once again, from 05.04.2012. On enquiry, the petitioner had found that she was in the illegal custody of the third respondent, who is a relative of the petitioner. In such circumstances, the petitioner had sent a complaint to the first respondent, by Registered Post, on 3.12.2012. Thereafter, he had filed the present Habeas Corpus petition, before this Court, on 5.12.2012.

3. Today, when the matter was listed for hearing, the learned Additional Public Prosecutor appearing on behalf of the respondents 1 and 2 had stated that, based on the complaint made by the petitioner, a case has been registered, in Crime No.805 of 2012, on the file of the first respondent, as a "woman missing" case. He had further stated that effective steps are being taken to trace the detenue. He had also stated that, on an earlier occasion, the detenue had eloped with the third respondent and later, she had returned to her house. Therefore, it is suspected that she has eloped with the third respondent, once again, on 5.4.2012.

4. In such circumstances, this Court is of the view that it would suffice if the first respondent police is directed to trace the detenue, as expeditiously as possible. Accordingly, the first respondent is directed to take effective steps to trace the detenue, as expeditiously as possible. As no further orders are necessary. The Habeas Corpus Petition stands closed. asvm To 1.The Inspector of Polcie, Avaniyapuram Police Station, Madurai District. 2.The Superintendent of Police, Madurai District. 3.The Additional Public Prosecutor, Madurai Bench of the Madras High Court, Madurai.

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com