



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 detinue'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



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## **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 detenu. 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 2<sup>nd</sup> husband of the petitioner, compelled the detenu, who is aged 16 years, to marry him. Hence, the petitioner has preferred a complaint before the 2<sup>nd</sup> 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 detenu was



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secured and produced before this Court. She has stated that since the 2<sup>nd</sup> 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 detinue. It is also alleged that Paulraj had also misbehaved with the detinue.

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



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respondent police is also directed to produce the detenu before the medical board for medical examination and a report shall be obtained and thereafter the detenu 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 2<sup>nd</sup> 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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