



H.C.P(MD)No.792 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2026

CORAM:

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

H.C.P(MD)No.792 of 2026

Kamala ... Petitioner/Mother of the Detenu

Vs.

- 1.The Superintendent of Police,
District Police Office,
Theni District.
- 2.The Inspector of Police
Palanichettipatti Police Station,
Theni District.
Cr.No.303/2026.

3.S.Karna ... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents No.1 and 2 to secure and produce the body or person of the detenu namely, Minor Navya, aged about 17 years, who is in the illegal custody of the 3rd respondent, before this Court and handover the custody to the petitioner.

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For Petitioner : Mr.M.Nivas Gokul
For Respondents : Mr.G.Karuppasamy Pandiyan
Government Advocate (Crl. side)

ORDER

[Order of the Court was made by A.D.JAGADISH CHANDIRA, J.]

This Habeas Corpus Petition is filed to direct the respondents 1 and 2 to secure and produce the body or person of the detenu namely, Minor Navya, aged about 17 years, who is in the illegal custody of the 3rd respondent, before this Court and handover the custody to the petitioner.

2. Alleging that her minor daughter born on 24.09.2009 was kidnapped by the 3rd respondent and that no further action had been taken, despite registration of a case in Crime No.303 of 2026 by the 2nd respondent police, the petitioner has come up before this Court by filing the present Habeas Corpus Petition.

3. When the matter was listed on 03.07.2026, learned Government Advocate (Crl. Side) submitted that the victim girl was born



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on 24.02.2009 and that the 3rd respondent had earlier kidnapped the victim/missing person and that she was secured and a case under the POCSO Act was registered against the 3rd respondent and trial was pending in Spl.S.C.No.129 of 2024 on the file of the POCSO Court, Theni and that the case is ripe for trial. It was also submitted that the case was at the fag end of trial and that the 3rd respondent had once again, kidnapped the minor victim girl. Pursuant to the above submissions, it was also submitted that a special team had been formed to secure the victim girl.

4. Today, the victim girl has been secured and produced before this Court.

5. Mr.G.Karuppasamy Pandiyan, learned Government Advocate (Crl.) side appearing for the respondents 1 and 2 would submit that the victim girl along with the 3rd respondent was secured at Kuppipalayam Village, Gopichettipalayam, Tiruppur District. The 3rd Respondent has been arrested and remanded to judicial custody. During the enquiry, it was found that the victim girl is pregnant by 3 months and



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that she is also produced before us today.

6. We enquired the alleged missing person /victim girl. She submitted that she knows the 3rd respondent for quite some time and that she had gone along with him and that she is now pregnant. She expressed her willingness to go along with her mother.

7. The petitioner appeared through video conference along with her counsel.

8. We enquired the petitioner/victim girl's mother. She submitted that she is not inclined to take her daughter along with her.

9. The learned Government Advocate (Crl.) side appearing for the respondents 1 and 2 would submit that the victim girl would be kept in the home, namely, Manithaneyya Kappagam, Kodangipatti, Theni District.

10. In view of the above, this Habeas Corpus Petition stands closed, directing the second respondent to keep the victim girl in a home



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and ensure that proper child care and medication is given to the detenu/victim minor girl.

[A.D.J.C., J.]

[R.P., J.]

07.08.2026

Index : Yes / No
Neutral Citation : Yes / No
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Note : Issue order copy on 07.08.2026

To:

- 1.The Superintendent of Police,
District Police Office,
Theni District.
- 2.The Inspector of Police
Palanichettipatti Police Station,
Theni District.
- 3.The Counsel for State of Tamil Nadu
Madurai Bench of Madras High Court,
Madurai.

Copy to

Manithaneyya Kappagam,
Kodangipatti,
Theni District.



WEB COPY



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A.D.JAGADISH CHANDIRA, J.
AND
R.POORNIMA, J.

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ORDER MADE IN
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DATED : 07.08.2026