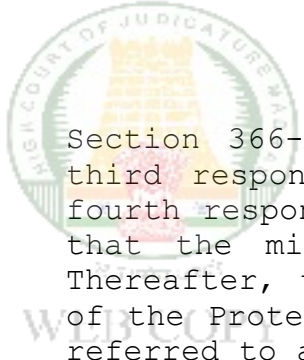




Section 366-A IPC. During the course of investigation, according to the third respondent, she was secured from Mumbai from the custody of the fourth respondent-Sathyaraj and during investigation, it has come to light that the minor girl was sexually exploited by the fourth respondent. Thereafter, the case has been altered under Section 366 IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012 (hereinafter referred to as "the POCSO Act). The same is under investigation.

2. Today the minor girl was produced before this Court. The petitioner and his wife Marithai were also present. On enquiry, the minor girl stated that under the guise of taking her for excursion, she was taken to Mumbai, where she was sexually exploited by the fourth respondent. Now, she is willing to go with her parents. The said statement is recorded.

3.The Inspector of Police, All Women Police Station, Sankarankovil would state that the detainee has already been sent to the medical examination and she has been produced before the learned Magistrate for recording her statement under Section 164 Cr.PC.

4. In view of the above, this Habeas Corpus Petition is allowed, entrusting the custody of the minor girl - M.Soundarya to her parents, viz., Mr.S.Murugan and his wife, who shall keep the child without harming her either physically, mentally or emotionally.

5. M.Soundarya may be taken to the Court by the third respondent for recording the statement as provided under the POCSO Act and the Rules framed thereunder, if any. The Superintendent of Police shall transfer the investigation to the Child Police, as per the POCSO Act forthwith.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police, Tirunelveli District, Tirunelveli.

2.The Inspector of Police, Panavadalichathiram Police Station,
Panavadalichathiram, Tirunelveli District.

3.The Inspector of Police, All Women Police Station,
Sankarankovil, Tirunelveli District.

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

+1cc to M/S.M.Sankar , Advocate in SR.No. 60328

TS/16.10.2015/2P - 6C SK-SKN/SAR -I