

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.6.2016

CORAM

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
and
THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

H.C.P.No.1151 of 2016

Sagaya Mary Francies Petitioner/Mother of the
detenue
Vs

1. State Rep. By:
The Superintendent of Police,
Krishnagiri,
Krishnagiri District.

2. The Inspector of Police,
Shoolagiri Police Station,
Krishnagiri District.

3. Ramaraj Respondents

Prayer: Petition filed under Article 226 of the
Constitution of India, praying to issue a WRIT OF HABEAS CORPUS
directing the respondents herein to produce the petitioner's
daughter Taj Jenismary, D/O. Francise, aged about 16, who is
illegally detained by the 3rd respondent, before this Court and
set her at liberty.

For Petitioner : Mr. Ilayaraja Kandasamy for
Mr. K. Gandhi Kumar

For Respondents : Mr. V. M. R. Rajentren
Additional Public Prosecutor

ORDER

(Order of the Court was made by V.BHARATHIDASAN J.)

The petitioner is the mother of one Taj Jenismary, aged 16
years. She was studying in ITI (1st year) in Joseph Polytechnic
College. According to the petitioner from 15.4.2016 onwards, she
has been found missing. On the allegation that she had been
kidnapped by the third respondent, the petitioner made a

complaint on 20.4.2016. In this regard, a case has been registered in Cr.No.218/16 for 'Girl missing' on the file of the second respondent. Since the detainee was not traced, the petitioner has come up with this Habeas Corpus Petition.

2. Today, the detainee was produced before this Court and on enquiry, she told the Court that she got married to the third respondent and had gone to Karnataka.

3. The learned Additional Public Prosecutor submitted that the case has been altered under the provisions of the Protection of Children from Sexual Offences Act, 2012. The 3rd respondent was arrested and now he has been remanded to judicial custody.

4. In the circumstances, the second respondent shall take the minor girl and produce her before the Mahila Court, Krishnagiri and on such production, the learned Magistrate, Mahila Court, Krishnagiri shall pass appropriate orders regarding the custody of the minor girl.

5. With this observation, the Habeas Corpus Petition is dismissed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

1. The Judicial Magistrate,
Mahila Court,
Krishnagiri.

2. The Superintendent of Police,
Krishnagiri,
Krishnagiri District.

3. The Inspector of Police,
Shoolagiri Police Station,
Krishnagiri District.

4. The Public Prosecutor,
High Court, Madras.

1cc to Mr.K.Gandhikumar, Advocate Sr.35902

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