

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2016

CORAM

THE HON'BLE MR.JUSTICE S.NAGAMUTHU
and
THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

H.C.P.No.1168/2016

Srinivasan

.. Petitioner

Vs

1. The State rep. by the Superintendent
of Police, Dharmapuri District,
Dharmapuri.
2. The Inspector of Police,
Pappireddipatty Police Station,
Dharmapuri District.
3. Sabaries

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS directing the respondents to produce the detainee Ruchitha, daughter of Srinivasan, minor aged about 14 years, now in the illegal custody of the 3rd respondent herein before this Court and set her at liberty.

For Petitioner : Mr.R.Sankarasubbu
For Respondents : Mr.V.M.R.Rajentren,
1 and 2 Additional Public Prosecutor

सत्यमेव जयते
ORDER

[Order of the Court was made by S.NAGAMUTHU,J]

The petitioner is the father of a minor girl, namely, Ruchitha, aged about 14 years. According to the petitioner, the minor girl was kidnapped by the 3rd respondent on 26.05.2016. In this regard, on the complaint made by the petitioner, a case has been registered by the 2nd respondent in Crime No.188 of 2016. Since the girl was not secured, the petitioner has filed the present Habeas Corpus Petition.

2. Today, when the Habeas Corpus Petition was taken up for hearing, the petitioner made appearance. The minor girl was produced by the 2nd respondent.

3. We have heard the learned Counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 and 2.

4. When we enquired the detainee, she has stated that it is true that the 3rd respondent whose full name is Sabarinathan kidnapped her, took her to various places and at last, kept her in Kerala and sexually exploited her.

5. The learned Additional Public Prosecutor would submit that the minor girl was secured and produced before the Mahila Court at Dharmapuri and the learned Judge has passed an order entrusting the custody of the detainee to the petitioner. He would further submit that the case has been altered into one under the provisions of the Protection of Children From Sexual Offences Act, 2012.

6. The petitioner, who is the father of the detainee, would submit that he is willing to keep the minor child safely without any harm to her either physically or mentally. The said statement is recorded.

7. In view of the above, we direct the respondent police to expedite the investigation in this matter leaving no flaw and file an appropriate final report at the earliest.

8. With the above observation, this Habeas Corpus Petition is disposed of. The further custody of the minor child shall be dealt with by the Special Court under the Protection of Children From Sexual Offences Act, 2012.

सत्यमेव जयते

-s/d-

Assistant Registrar (CSIII)

True Copy

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Sub-Assistant Registrar

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To

1. The Superintendent of Police,
Dharmapuri District,
Dharmapuri.
2. The Inspector of Police,
Pappireddipatty Police Station,
Dharmapuri District.
3. The Public Prosecutor,
High Court, Madras.
4. The Presiding Officer
Mahila Court
Dharmapuri

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H.C.P.No.1168/2016



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