

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2016

CORAM

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

H.C.P.No.1172 of 2016

Ahamed Hussain

...Petitioner

vs.

1.The Inspector of Police,
Kaveripatnam Police Station,
Krishnagiri District.

2.M.Santhosh

...Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus, directing the first respondent Police to produce the petitioner's daughter namely Anjum D/o.B.Ahmed Hussain aged about 17 years before this Court and set her at liberty.

For Petitioner : Mr.S.S.Karthikeyan

For Respondents: Mr.V.M.R.Rajentren
Additional Public Prosecutor for R1

O R D E R

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

The petitioner is the father of one Ms.Anjum, aged 17 years. On the allegation that she has been kidnapped by the second respondent, the petitioner made a complaint to the first respondent and based on the said complaint, a case has been registered in Crime No.366 of 2016. Since the detainee was not rescued, the petitioner has come up with this Habeas Corpus Petition.

2. Today, when this Habeas Corpus Petition was taken up for hearing in the special list, the detainee was produced before this Court by the second respondent.

3. The learned Additional Public Prosecutor submitted that she was originally produced before the jurisdictional Magistrate, who in turn has entrusted the custody of the detainee to the District Welfare Committee. Thereafter, the case has been altered into one under the POCSO Act. In view of the same, further orders regarding the custody of the detainee has to be passed by the Special Court under the POCSO Act.

4. In view of the above, the Habeas Corpus Petition is disposed of with a direction to the first respondent to cause production of the minor girl Anjum before the Special Court under the POCSO Act, Krishnagiri District. On such production, the said Court shall pass appropriate orders regarding the custody of the minor girl.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
Kaveripatnam Police Station,
Krishnagiri District.

2.The Public Prosecutor,
High Court, Madras.

1 cc to M/s.Jury Brain Law Offices, Advocates, sr.38896

H.C.P.No.1172 of 2016

ad co
kra 29.08.2016

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