

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2016

CORAM

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

H.C.P.No.1341/2016

N.Moorthy .. Petitioner

Vs

1. The Sub-Inspector of Police,
Kottur Police Station,
Kottur, Mannargudi Taluk,
Tiruvarur District.

2. S.Ravichandran .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS directing the 1st respondent to produce the body of M.Nisha, daughter of N.Moorthy, minor, aged about 16 years now, before this Court and set her at liberty.

For Petitioner : Mr.K.Muruganantham
For 1st Respondent : Mr.V.M.R.Rajentren,
Additional Public Prosecutor

ORDER

[Order of the Court was made by V.BHARATHIDASAN,J]

The petitioner is the father of a minor girl, namely, M.Nisha, aged about 16 years. According to the petitioner, the minor girl was born on 22.04.2000 and she is studying Plus 1 in Government Girls Higher Secondary School, Mannargudi. Further, according to the petitioner, the minor girl has been kidnapped by the 2nd respondent on 01.06.2016. In this regard, on the complaint made by the petitioner, a case has been registered by the 1st respondent in Crime No.120 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 1st respondent.

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

4. When we enquired the detainee, she has stated that it is true that the 2nd respondent kidnapped her, took her to Erode and sexually exploited her.

5. The learned Additional Public Prosecutor submitted that the minor girl was already produced before the learned Judicial Magistrate concerned and the 2nd respondent was also arrested and remanded to judicial custody.

6. In the above circumstances, the 1st respondent is directed to produce the minor girl, namely, M.Nisha, aged about 16 years, before the Mahila Court, Thiruvarur, to pass appropriate orders regarding the custody of the minor girl under the provisions of the Protection of Children From Sexual Offences Act, 2012.

7. With the above observation, this Habeas Corpus Petition is disposed of.

Sd/-
Assistant Registrar(V)

//True Copy//

Sub Assistant Registrar

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To

1. The Sub-Inspector of Police,
Kottur Police Station,
Kottur, Mannargudi Taluk,
Tiruvarur District.
2. The Mahila Judge, Mahila Court, Tiruvarur.
3. The Additional Public Prosecutor,
High Court, Madras.

H.C.P.No.1341/2016

RP(CO)
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