

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.6.2016

CORAM

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

H.C.P.No.767 of 2016

Mr.Balaraman

..Petitioner

Vs.

1. The Superintendent of Police,
Cuddalore District.
 2. The Inspector of Police,
Kullanchavadi Police Station,
Cuddalore District.
 3. Mr.Kolanchi @ Kolanchinathan
 4. Mr.Srikanth
- ..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 B.Gomathi, aged about 21 years, before this Court and set her at liberty.

For Petitioner : Mr.D.Manimaran

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

ORDER

(Order of the Court was made by S.NAGAMUTHU, J.)

The petitioner is the father of one B.Gomathi, aged 21 years. On the allegation that she had been kidnapped by the respondents 3 and 4, the petitioner has come up with this Habeas Corpus Petition.

2. When this petition came up for hearing on 10.6.2016, the detenue was produced before this Court by the Inspector of Police. Having heard her, this Court passed the following order:

"The second respondent has produced the detenue, B.Gomathi before this Court. She submitted that she is 21 years of age. She informed the Court that she was kidnapped by respondents 3 and 4 along with more people. She was taken to several places. Against her will and wish she was forced to undergo a form of marriage. It was also by force, registered. She was kept illegally and finally, the police rescued her. She admitted that she made a submission to the learned Magistrate that she was not abducted by any body. But she would accept that she was threatened to say so by the accused of whom many of them are murder case accused.

2. The matter requires further investigation. She would further submit that she is willing to go with her parents. Accordingly, she is permitted to go along with her parents, who are present in Court. The parents also would say that they would take the detenue with them and keep her without doing any harm to her.

3. Registry is directed to list the matter on 27.6.2016 for the Inspector of Police to file status report with regard to the investigation in this case."

3. Today, when the matter came up for hearing, the detenue appeared. She reiterated that she was kidnapped and forced to agree for sexual intercourse and since she did not agree, the third respondent made an attempt to rape her. The Inspector of Police, who is present here submitted that now, the investigation has been reopened and he will do investigation impartially.

4. The said statement is recorded.

5. The detenue submitted that she would go back to her parental home.

6. Recording the same, the Habeas Corpus Petition is closed, directing the detinue to go with her parents with a further direction to the Inspector of Police to investigate the case impartially.

kua

Sd/-
Asst.Registrar

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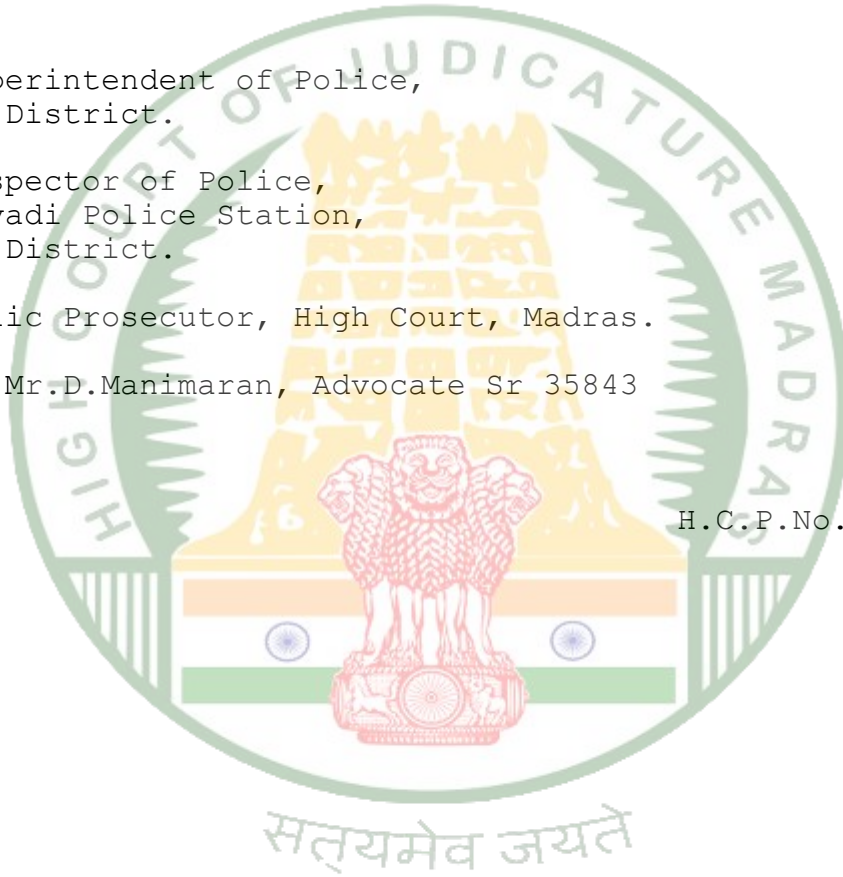
Sub Asst. Registrar

To

1. The Superintendent of Police,
Cuddalore District.
 2. The Inspector of Police,
Kullanchavadi Police Station,
Cuddalore District.
 - 3.The Public Prosecutor, High Court, Madras.
- + 1 cc to Mr.D.Manimaran, Advocate Sr 35843

KR/6/7/16

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