



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

AND

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

H.C.P. (MD) No.1105 of 2016

R.Ponnammal : Petitioner

Vs.

1.The Superintendent of Police,
Sivagangai District,
Sivagangai.

2.The Inspector of Police,
Ulagampatti Police Station,
Sivagangai District.

3.Muthu : Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the detenu or her corpus, namely, Priya, D/o.Ravi, aged about 17 years and 10 months before this Court and handed over her custody to the petitioner forthwith.

For Petitioner : Mr.V.Sankara Narayanan

For Respondents 1&2 : Mr.A.Ramar,
Additional Public Prosecutor

ORDER

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

The petitioner is the mother of one Ms.Priya, D/o.Ravi, whose date of birth is 03.10.1998. According to the petitioner, Ms.Priya has been found missing from 05.08.2016 onwards. In this regard, a case has been registered in Crime No.68 of 2016 on the file of the second respondent. The allegation is that the third respondent had kidnapped Ms.Priya.

2. Today, when the Habeas Corpus Petition was taken up for hearing, the petitioner made appearance. The second respondent produced Ms.Priya. When we enquired, Ms.Priya told us that since her parents compelled her for marriage, she went out of her parental home along with the third respondent and lived with him in Udumalaipettai.



3. The learned Additional Public Prosecutor, on instructions, would submit that the case has been altered into one under the provisions of Protection of Children from Sexual Offences Act, 2012 and the third respondent has been arrested and remanded to judicial custody.

4. The detenu told us that she is willing to go back with her mother, viz., the petitioner herein. The petitioner is also willing to take her back. Since the detenu is aged 18 years, she is set at liberty. However, the second respondent shall go ahead with the investigation.

5. The Habeas Corpus Petition is disposed of accordingly.

Sd/-

Assistant Registrar(CS II)

/True Copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Sivagangai District,
Sivagangai.

2.The Inspector of Police,
Ulagampatti Police Station,
Sivagangai District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
H.C.P.(MD) No.1105 of 2016
Dated:
20.10.2016

SML

ANR/SK-SKN/03.11.2016/2P/4C