



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

AND

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

H.C.P.(MD)No.822 of 2016

S.Vijayan

: Petitioner

Vs.

1.The Inspector of Police,
Sindupatti Police Station,
Madurai District.

2.Vivek

: 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 first respondent to produce the body or person of the petitioner's daughter, namely Shivaranjini, D/o.Vijayan, aged about 17 years before this Court and hand over the custody to the petitioner.

For Petitioner : No Appearance

For Respondent No.1 : Mr.A.Ramar,
Additional Public Prosecutor

ORDER

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

The petitioner is the father of one Shivaranjini. Her date of birth is 14.02.1999. According to the petitioner, she has been found missing from 14.06.2016 onwards. In this connection, a case has been registered in Crime No.136 of 2016 on the file of the first respondent for the offence punishable under Section 366(A) of the Indian Penal Code. Since the girl was not secured by the first respondent, the petitioner has come up with the present Habeas Corpus Petition.

2. Today, the Habeas Corpus Petition was listed, on being mentioned by the learned Additional Public Prosecutor, in the special list.

3. When the matter was taken up during the afternoon session, the girl was produced before this Court by the first respondent. When we enquired her, she told that her date of birth is 14.02.1999. She has further stated that she married the second



respondent on 16.06.2016 and now, she is pregnant by three months.

4. The learned Additional Public Prosecutor would submit that after the girl was secured, the case has been altered into one under the provisions of Protection of Children from Sexual Offences Act, 2012. The second respondent has been arrested and remanded to judicial custody.

5. Since the detenu happens to be a child in terms of Protection of Children from Sexual Offences Act, 2012, we direct the first respondent to produce her before the Special Court under the Protection of Children from Sexual Offences Act, 2012, at Madurai, for necessary orders regarding her custody and safety. It is directed that she shall be produced before the Special Court on 27.09.2016.

6. The Habeas Corpus Petition is closed with the above direction.

Sd/
Assistant Registrar(RTI)

/TRUE COPY/

Sub Assistant Registrar

To

1. The Judge,
Special Court under the Protection of Children
from Sexual Offences,
Madurai.
2. The Inspector of Police,
Sindupatti Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
H.C.P.(MD) No.822 of 2016
Dated: 26.09.2016

SML

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