

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.04.2017

CORAM

THE HONOURABLE MR. JUSTICE S.NAGAMUTHU
and
THE HONOURABLE DR.JUSTICE ANITA SUMANTH

H.C.P No.432 of 2017

Harikrishnan

... Petitioner

Vs

1. The Inspector of Police,
Valavanur Police Station,
Villupuram Taluk,
Villupuram District

2. Bharathidasan
3. Kaliyaperumal
4. Karpakam
5. Kanimozhi
6. Sathiyaraj

.... Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus of any other appropriate writ or directing the first respondent to produce the detainee in person or body of the petitioner's daughter H. Shalini, aged about 16 years before this Court.

For Petitioner : Mr.L. Karthiga

For R.1 : 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 Shalini, aged about 16 years. Her date of birth is 10.07.2000. According to the petitioner, she was found missing from 07.03.2017 onwards. The petitioner has further stated that the respondents 2 to 6 had kidnapped the minor girl. On a complaint made by the petitioner, a case was also registered in Cr.No.232/2017 on the file of

first respondent. Since the girl was not secured, the petitioner has come up with this Habeas Corpus Petition.

2. Today, when the matter is taken up, the detenue was produced before us. She told us that she had fallen love with the second respondent and the second respondent married her on 15.03.2017 in a temple at Chengalpattu and from that date onwards, she has been living with him as wife.

3. The learned Additional Public Prosecutor submitted that the second respondent was arrested and remanded to judicial custody under Sec.6 of the Protection of Children from Sexual Offences Act, 2012.

4. The father of the petitioner is present before us. The minor girl told that she is willing to go with her father. In view of the same, this habeas corpus petition is disposed of with a permission to the petitioner to take the minor girl with him in his custody. It is further directed that the minor girl shall be produced before the Special Court under the Protection of Children from Sexual Offences Act, 2012, on 10.04.2017 and the Special Court under the Protection of Children from Sexual Offences Act, 2012 shall pass further orders regarding the custody of the minor girl.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
Valavanur Police Station,
Villupuram Taluk,
Villupuram District

2. The Public Prosecutor,
High Court, Madras.

+lcc to M/S.L.Karthiga, Advocate Sr.19938

H.C.P.No.432 of 2017

ssi[col]
srg 5/4/2017