

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.433 of 2017

P. Shanmugam Ravi .. Petitioner
Vs

- 1.State rep by
The Inspector of Police,
Vennanthur Police Station,
Namakkal
2. The Superintendent of Police,
Namakkal District Police Headquarters
Namakkal .. 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 bring and produce Indhuja (16), Minor Daughter of the petitioner herein before this Court and set her at liberty.

For Petitioner : Mr.V. Balamurugane

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 Indhuja, aged about 16 years. Her date of birth is 12.04.2001. According to the petitioner, she has been found missing from 06.01.2017 onwards. In this regard, on a complaint made by the petitioner, a case was registered. 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 first respondent produced the detainee before us. She told us that her date of birth is 12.04.2001 and she was studying IX Standard. She further told us that she had fallen love with one Selvaraj and she eloped with Selvaraj and marriage at Paramakudi on 17.03.2017 and from then onwards, she was living with him as wife. Now, she wants to go with the petitioner.

3. The first respondent informed us that the case was altered into one under Protection of Children from Sexual Offences Act, 2012 and Mr.Selvaraj was arrested and remanded to judicial custody and investigation is in progress.

4. The petitioner is present along with his wife. They told us that they are willing to take the minor girl with them. The said statement is recorded. The girl told us that she is also willing to go with her parents. 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/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

sr/jer

To

1.The Inspector of Police,
Vennanthur Police Station,
Namakkal

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2. The Superintendent of Police,
Namakkal District Police Headquarters
Namakkal

3. The Public Prosecutor,
High Court, Madras.

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