

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2017

CORAM

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

H.C.P No.2250 of 2016

R.Valarmathi

... Petitioner

Vs

1. The Superintendent of Police,
Dharmapuri, Dharmapuri District
2. The Deputy Superintendent of Police,
Pennagaram, Dharmapuri
3. The Inspector of Police,
Pennagaram Police Station,
Pennagaram, Dharmapuri
4. C.Arun
5. Chinnathambi
6. Lakshmi
7. M.Shankar
8. Kumar
9. Rajkamal

... Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus or any other appropriate Writ, Order or Direction in the nature of Habeas Corpus, directing the respondents 1 to 3 to produce the petitioner's daughter R. Jothimani, D/o Ramasamy, aged about 17 years before this Court and set her liberty or produce her body.

For Petitioner : C. Rajendran

For R.1 to R.3 : Mr.V.M.R. Rajentren
Additional Public Prosecutor

For R.7 & R.8 : Mr.R. Thamarai Selvan

For respondents : Not ready notice
4,5,6 and 9

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

The petitioner, who is the mother of one R. Jothimani, aged about 17 years has come up with this Habeas Corpus Petition alleging that Ms.R. Jothimani (hereinafter referred to as "detenue") is missing from 22.09.2016 onwards. She has further alleged that the fourth respondent had taken her. In this regard, on a complaint made by the petitioner, a case was registered on the file of the third respondent in Cr.No.335 of 2016 under Sec.366 (A) IPC. Since the girl was not secured the petitioner has come up with this Habeas Corpus Petition.

2. Today, when this matter was taken up for hearing, the learned Additional Public Prosecutor submitted that the detenue was secured on 18.12.2016. The fourth respondent was arrested and he has been remanded to judicial custody. So far as minor R. Jothimani, is concerned, she has given birth to a male child and she has been ordered to be kept in Protection Home by Special Court for The Protection of Children from Sexual Offences Act.

3. In view of the said fact, we find nothing surviving in this petition. Therefore, this habeas corpus petition is dismissed, leaving it open to the Special Court for The Protection of Children from Sexual Offences Act to deal with the matter.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

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To

Sub Assistant Registrar

1. The Superintendent of Police,
Dharmapuri, Dharmapuri District
2. The Deputy Superintendent of Police,
Pennagaram, Dharmapuri
3. The Inspector of Police,
Pennagaram Police Station,
Pennagaram, Dharmapuri
4. The Public Prosecutor,
High Court, Chennai.

+1cc to Mr.M.Selvam, Advocate, S.R.No.16484

H.C.P.No.2250 of 2016

KJI (CO) CA (03/04/2017)