



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

AND

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

H.C.P. (MD) No.1028 of 2017

Jeya

: Petitioner

Vs.

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

2.The Inspector of Police (Circle)
Alanganallur Police Station,
Madurai District.

3.The Sub Inspector of Police,
Palamedu Police Station,
Madurai District.

4.Mani @ Manikandan

5.Ramakrishnan

6.R.Jansi Rani

7.Prabhu @ Prabhakaran

8.Backiyam

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Habeas Corpus, to direct the respondents 1 to 3 to produce the person or body of petitioner's daughter namely, Meena @ Meenakshi, D/o.Late.Kalimuth, aged about 17 years, before this Court and hand over the custody to the petitioner.

For Petitioner

: Mr.C.Ramesh

For R1 to R3

: Mr.C.Ramesh

Additional Public Prosecutor

For R4 to R8

: No appearance

ORDER

[Order of the Court was made by **R.SUBBIAH, J**]

The present Habeas Corpus Petition has been filed by the mother of the detenu, seeking a Writ of Habeas Corpus, directing the respondents 1 to 3 to produce the person or body of petitioner's daughter namely, Meena @ Meenakshi, D/o.Late.Kalimuth, aged about 17 years, before this Court and hand over the custody to the



petitioner.

2. In the affidavit filed in support of this Petition, it has been averred that the petitioner is the mother of the detenu viz., Meena @ Meenakshi, aged about 17 years and the petitioner along with her family members are residing at Usilampatti, Kodangipatti Post, Madurai District. It is alleged that on 14.06.2017, the petitioner went to her relative's family function and thereafter, she returned back home and found that the detenu was not there. Thereafter, the petitioner searched her daughter in various places, but she could not find out her. Hence, the petitioner made a complaint before the third respondent on 14.06.2017. On receipt of the said complaint, the third respondent registered a case in Crime No.122 of 2017 for 'Girl Missing'. Since there were no effective steps taken by the third respondent police to trace out the detenu, the petitioner has come up with the present Habeas Corpus Petition.

3. Today, when the Habeas Corpus Petition was taken up for consideration, the third respondent produced the detenu. When we enquired the detenu, she has stated that on her own volition, she went along with the fourth respondent herein viz., Mani @ Manikandan and both of them married in Perumal Temple. She has further stated that she is willing to go along with the petitioner/mother.

4. In view of the above and also considering the fact that the detenu is a minor aged about 17 years and she is also willing to go along with the petitioner, in our considered view, nothing survives for adjudication in the Habeas Corpus Petition. Hence, the Habeas Corpus Petition is closed.

5. At this juncture, the learned Additional Public Prosecutor submitted that the case, which was initially registered by the third respondent for 'Girl Missing', has been altered into Sections 5 and 6 of Protection of Children from Sexual Offences Act, 2012. The respondent police is directed to proceed with the investigation in accordance with law.

Sd/-

Assistant Registrar(T & P)

/True Copy/

Sub Assistant Registrar

To

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

2. The Inspector of Police (Circle)
Alanganallur Police Station,
Madurai District.



3. The Sub Inspector of Police,
Palamedu Police Station,
Madurai District.

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

NS

JS/KP/SAR.1/15.12.2017/3P-5C

Order made in
H.C.P. (MD) No.1028 of 2017
Dated: **20.11.2017**