



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.12.2017

CORAM

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THE HON'BLE MR.JUSTICE R.SUBBIAH
AND
THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

H.C.P (MD) No.1805 of 2017

Vanaja

...Petitioner

-vs-

- 1.The Superintendent of Police,
Tirunelveli District.
- 2.The Inspector of Police,
Panakudi Police Station,
Panakudi,Tirunelveli District.
- 3.The Sub-Inspector of Police,
Palavoor Police Station,
Palavoor, Tirunelveli District.
- 4.Venkatesh
- 5.Vijayan
- 6.Rajan
- 7.Chandra
- 8.Jayakumar

...Respondents

Prayer: This Habeas Corpus Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Habeas Corpus, directing the respondents 1 to 3 to secure the petitioner's minor daughter Ishwarya, D/o.Sami, aged about 17 years, residing at C.S.I Church Street, Avaraikulam Post, Tirunelveli District or her body before this Court and handover with the petitioner.

For Petitioner : Mr.M.R.Sreenivasan

For R-1 to R-3 : Mr.C.Ramesh
Additional Public Prosecutor.

For R-4 to R-8 : No appearance

O R D E R

(Order of the Court was made by R.SUBBIAH, J)

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The petitioner is the mother of the detenu, namely, Ishwarya, aged 17 years. The detenu is studying first year B.Sc., at Arignar Anna Arts and Science College, Aralvaimozhi. She used to go to College by State Corporation Bus. While so, on 04.12.2017, the detenu left home to go to College and thereafter did not return home. Therefore, having searched for her in various places, finally, the petitioner lodged a complaint with the respondent police and a case in Crime No.251/2017 has been registered for 'girl missing'. Thereafter, the petitioner came to know that the respondents 4 to 8 kidnapped the detenu and kept her in their illegal custody. Therefore, she gave a complaint to the respondent police. Since no effective steps were taken and the whereabouts of the detenu were not known, the petitioner is before this Court with this petition.

2.Today, when the matter was taken up for hearing, the detenu has been produced before this Court. On enquiry, the detenu stated that her date of birth is 30.07.2000 and completed 17 years and since she fell in love with the 4th respondent, on her own volition, she went along with the 4th respondent. However, she expressed her willingness to go along with the petitioner/mother.

3.The learned Additional Public Prosecutor submitted that a case has been registered against the 4th respondent in Crime No.251/2017 under Section 4 of Protection of Children from Sexual Offences Act.

4.In view of the willingness expressed by the detenu and in view of the submission of the learned Additional Public Prosecutor, nothing survives for adjudication in this petition. Accordingly, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub-Assistant Registrar

To:

- 1.The Superintendent of Police, Tirunelveli District.
- 2.The Inspector of Police, Panakudi Police Station, Panakudi, Tirunelveli District.
- 3.The Sub-Inspector of Police, Palavoor Police Station, Palavoor, Tirunelveli District.
- 4.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

RR

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RL/SC/ZP/SKN/RSR/SAR2/22/1/2018

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