

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.02.2019

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

HCP.No.337 of 2019

M.Geetha

..Petitioner

Versus

1.The Inspector of Police
(Law & Order)
T-6, Avadi Police Station
Avadi, Chennai-600 054.

2.The Commissioner of Police
Vepery, Chennai-600 007.

3.Dillibabu

.. Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Habeas Corpus directing the 1st respondent therein to produce the body of the petitioner's daughter Minor M.Yuvashree, aged about 15 years before this Court and set her at liberty.

For Petitioner : Mr.M.Manimaran

For Respondents : Mr.C.Iyyappa Raj
Additional Public Prosecutor
for R1 & R2

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.]

The petitioner is the mother of the detainee, who is aged about 14 years and was born on 14.11.2004. According to the petitioner, she is having

four daughters and the eldest daughter, who is the detainee herein, aged 14 years was studying 9th Standard in Imaculate School at Avadi. The detainee went to school in the morning on 08.02.2019 but she did not return and in this regard, she had lodged a compliant on the file of the 1st respondent on 08.02.2019, based on which, the case in Crime No.119 of 2019 was registered for "Girl Missing" and despite the registration of case as early as on 08.02.2019, no progress has been shown. Considering the fact that the daughter is a minor, the petitioner came forward to file this Habeas Corpus Petition praying for appropriate relief.

2. The girl / detainee is produced before this Court by the Inspector of Police, attached to T-6, Avadi Police Station, Avadi, Chennai-600 054 and the girl was also enquired. She would state that a relative namely Dillibabu/3rd respondent came to the School on 08.02.2019 telling her that her mother is unwell and took custody of her with him illegally for one week and the friend of the 3rd respondent brought her to T-6, Avadi Police Station, Avadi, Chennai-600 054 and entrusted her custody to the Police. She would also state that she is willing to go with her parents.

3. Mr.C.Iyyapparaj, learned Additional Public Prosecutor would submit that on securing the custody of the detainee, her statement was recorded by the 1st respondent Police and necessary and suitable alteration will be made in the F.I.R. and fair, proper and impartial investigation has been done and the girl may also be subjected to medical examination.

4. In the light of the fact that the detainee has been produced before this Court and she is also willing to go with her parents who is also present before this Court, this Court is of the considered view that no further orders are necessary in this Habeas Corpus Petition.

5. In the result, the Habeas Corpus Petition is closed. In the light of the submission made by the learned Additional Public Prosecutor, on instructions, as to the further progress to be made in the investigation, this Court directs the 1st respondent to file a Status Report as to the progress made in the investigation in Crime No.119 of 2019 on 15.03.2019.

Call on 15.03.2019

[M.S.N., J] [M.N.K., J]
13.02.2019

Internet : Yes

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To

1.The Inspector of Police
(Law & Order)

T-6, Avadi Police Station
Avadi, Chennai-600 054.

2.The Commissioner of Police
Vepery, Chennai-600 007.

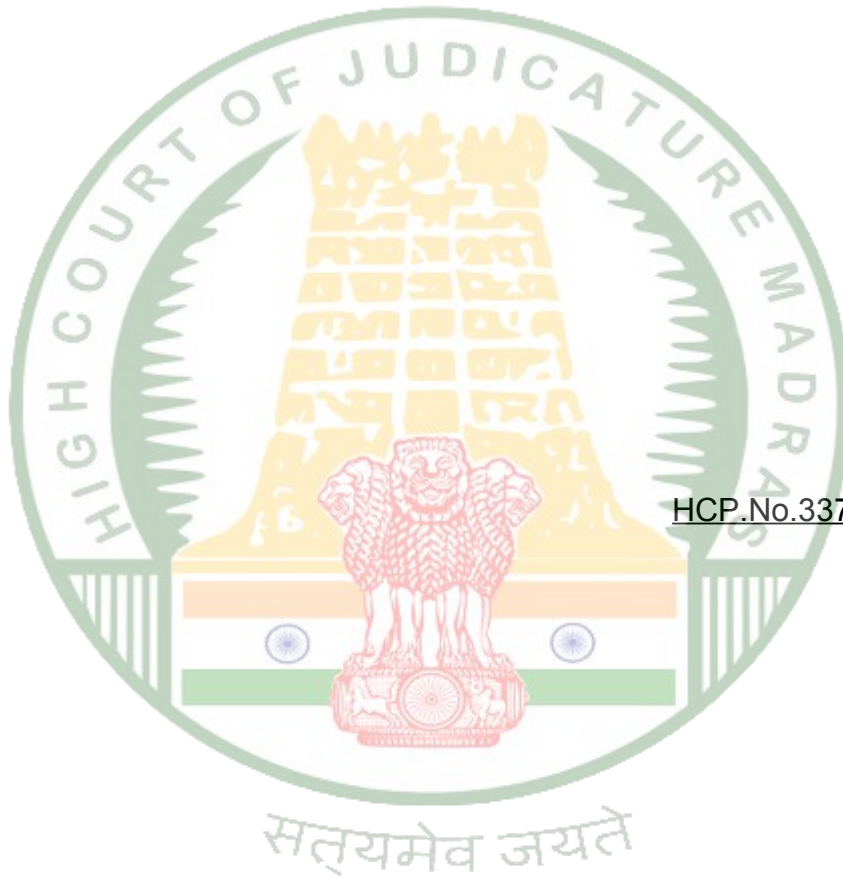
3.The Public Prosecutor,
Madras High Court.

M.SATHYANARAYANAN, J.,

AND

M.NIRMAL KUMAR, J.,

sk



HCP.No.337 of 2019

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