

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2019

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

H.C.P.No.2744 of 2019

Shamsath Begam
M/o.Shaheera Begam

... Petitioner

Vs

1.State represented by
Inspector of Police,
Chidambaram Police Station,
Cuddalore.

2.Tamilselvan
S/o.Murugesan

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing first respondent Police to produce the body of detainee/petitioner's daughter viz., Saheera Begam, aged 16 years, D/o.Shamshath Begam, before this Court and hand over her custody to the petitioner.

For Petitioner : Mr.J.Franklin

For Respondents : Mrs.M.Prabhavathi,
Additional Public Prosecutor

O R D E R
सत्यमेव जयते

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

Petitioner, who is the mother of the detainee Saheera Begam, aged 16 years, D/o.Shamshath Begam, has filed the present petition seeking a direction to first respondent to produce the detainee before this Court and hand over her custody to the petitioner.

2. Heard learned counsel for petitioner and learned Additional Public Prosecutor appearing for first respondent.

3. Learned counsel for petitioner submits that the petitioner's daughter went missing from 12.11.2019. After searching for the detinue with the relatives and neighbours, petitioner preferred a complaint. Since no action has been taken, the present petition has been filed seeking the aforesaid relief.

4. Learned Additional Public Prosecutor appearing for respondent submits that based on the complaint of petitioner, initially a case was registered in Crime No.353 of 2019 on the file of first respondent for 'Girl Missing' and subsequently, it was altered to reflect offences u/s.366 IPC, 5(1)(6) of POCSO Act and 9 of Child Marriage Act. The detinue was secured on 05.12.2019 and after completing all formalities including medical test, the detinue was handed over to the petitioner.

5. Today, the detinue is produced before this Court. When we enquired, she stated that she joined her mother.

In the aforesaid circumstance, nothing survives for further adjudication in the present petition. Accordingly, the Habeas Corpus Petition is closed.

Sd/-
Assistant Registrar

// True Copy//

Sub Assistant Registrar

gm

To

1.The Inspector of Police,
Chidambaram Police Station,
Cuddalore.

2.The Public Prosecutor,
High Court, Madras.

PM(CO)
CSR:10.02.2020

H.C.P.No.2744 of 2019

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