

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

and

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

H.C.P.No.2437/2018

V.Chakravarthi .. Petitioner
vs.

1.The Deputy Commissioner of Police
Anna Nagar, Chennai 600 040.

2.The Inspector of Police
Koyembedu Police Station
Chennai.

3.Mr.Nandakumar ... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus directing the 2nd respondent to produce the detainee namely C.Prithika, aged 18 years, D/o.V.Chakravarthi, before this Court from the illegal custody of the 3rd respondent Nandakumar, S/o.Not Known, and set her at liberty.

For Petitioner .. Mr.K.Dhananjayan

For RR 1 & 2 ... Mr.C.Iyyappa Raj, APP

ORDER

(Order of the Court was made by M.SATHYANARAYANAN, J)

The petitioner is the father of the detainee, viz., C.Prithika, who is aged about 18 years [DOB 27.09.2000]. According to the petitioner, the detainee was studying B.Com Degree, and on 20.09.2018, she went to attend the College ; but she did not return home. The search and enquiries made, had revealed that she is under the illegal custody and detention at the hands of the 3rd respondent and therefore, lodged a complaint, based on which, the 2nd respondent has registered a case in Crime No.1006/2018 for 'girl missing'.

2 When the matter is listed today, the detenue is produced before this Court and she would state that on 20.09.2018, the 3rd respondent has taken her from the College and both of them went to Tirupathi and stayed there and the 2nd respondent had secured the detenue and she was produced before the jurisdictional Magistrate who passed an order, restoring her custody to her parents and at present, she is under the care and custody of her parents.

3 It is also brought to the knowledge of this Court that the 3rd respondent has been arrested and sections were also altered for the commission of the offence under the POCSO Act and he is remanded to judicial custody. The detenue, now is a major and willing to stay with her parents and the parents of the detenue, viz., the petitioner herein and his wife, are also present before this Court and they would state that they would take care and well being of the detenue/their daughter and would continue her education.

4 In the light of the fact that the detenue now a major and is under the care and custody of her parents and she also wants to remain with them, no further orders are to be passed in this petition.

5 Accordingly, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

AP

To

1.The Deputy Commissioner of Police
Anna Nagar, Chennai 600 040.

2.The Inspector of Police
Koyembedu Police Station, Chennai.

3.The Public Prosecutor,
Madras High Court, Madras.

+1cc to Mr.Dhananjayan, Advocate, S.R.No.27383

H.C.P.No.2437/2018

MG(CO)

GN(25/04/2019)