



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE P.N.PRAKASH
AND
THE HONOURABLE MR. JUSTICE B.PUGALENDHI

H.C.P. (MD) No.254 of 2019

Rajeshwari : Petitioner

Vs.

1.State represented By
the Commissioner of Police,
O/o. The Commissioner of Police,
Tirunelveli City.

2.The Inspector of Police,
Town Police Station,
Tirunelveli City.

3.Manikandan

4.Ammasi : 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 respondent Nos.1 and 2 to produce the body or person of the petitioner's daughter namely, Aruna Devi, daughter of Chermadurai aged about 16 years before this Court and set her at liberty forthwith.

For Petitioner : Mr.S.M.A.Jinnah

For Respondents : Mr.M.Chandrasekaran
Additional Public Prosecutor

ORDER

It is the case of the petitioner that her daughter Aruna Devi, aged about 16 years went missing on 20.02.2019, in connection with which, when the petitioner gave a complaint to the police, no action was taken and therefore, the petitioner has filed the present Habeas Corpus Petition.

2.Though the matter was not listed today, since the police had secured the minor girl, we took the matter on Board.

<https://hcservices.ecourts.gov.in/hcservices/>

3.Today, Mr.R.Vijayakumar, Inspector of Police, Town Police Station, Tirunelveli City is present.



4. On instructions, the learned Additional Public Prosecutor submitted that Aruna Devi had earlier run away with one Manikandan, in connection with which, a case in Tirunelveli Town Police Station Crime No.206/2018 was registered on 17.07.2018 under Section 366(A) IPC and after completing the investigation, the police have filed the chargesheet in Spl.S.C.No.126/2018 before the Mahila Court, Tirunelveli under Sections 366(A) IPC and Section 6 of POCSO Act against Manikandan. During trial of that case, Aruna Devi has once again ran away with Manikandan on 20.02.2019 and that the police have secured her. Since Aruna Devi is a minor, custody of her is handed over to her mother Rajeswari, who is the petitioner herein.

5. Accordingly, this Habeas Corpus Petition is closed.

Sd/-
Assistant Registrar()

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
O/o. The Commissioner of Police,
Tirunelveli City.
2. The Inspector of Police,
Town Police Station,
Tirunelveli City.
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

RR/03.05.2019/2P/4C

**Order made in
H.C.P. (MD) No.254 of 2019**