

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 03.07.2019

CORAM

**THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN****AND****THE HONOURABLE MR.JUSTICE B.PUGALENDHI****H.C.P(MD)No.408 of 2019**

K.Kasinathan

... Petitioner

Vs.

1.The Superintendent of Police,  
Thanjavur District,  
Thanjavur.

2.The Inspector of Police,  
Taluk Police Station,  
Thanjavur District.

3.Chandru

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the body or person of the petitioner's daughter namely Kavitha, aged about 17 years, D/o Kasinathan, before this Court and handover her custody to the petitioner.

For Petitioner : Mr.P.Edin Brough

For Respondents : Mr.K.Dinesh Babu

Additional Public Prosecutor  
for R.1 and R.2

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

The petitioner is the father of the minor detenu, viz., Kavitha, aged about 17 years (date of birth is 07.06.2001) and alleging her illegal custody and detention at the hands of the third respondent, came forward to file the present Habeas Corpus Petition.

2. Heard the submissions of the learned Counsel appearing for the petitioner and also perused the status report of the second respondent, dated 03.07.2019.

3. A perusal of the First Information Report would also *prima facie* disclose that the detenu eloped with Chandru, S/o Dhanasekaran, on earlier occasion and she was also traced and her custody was handed over to her parents and once again, she is found to be missing and according to the learned Additional Public Prosecutor, appearing for the State, she once again, eloped with the third respondent and all efforts have been taken to trace both of them.

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

4. In the light of the above facts and circumstances, this



Court directs the second respondent to expedite the investigation of the case in Cr.No.167 of 2019 and as and when the detenu as well as the third respondent are traced, they shall be produced before the Court of Judicial Magistrate No.II, Thanjavur, for passing appropriate orders as to their custody.

WEB COPY

5. The second respondent is also directed to periodically inform the petitioner, as to the progress being made in the investigation. The Deputy Superintendent of Police, Vallam, is also directed to monitor the investigation and give necessary instructions/directions to the second respondent, as to the manner of investigation.

6. The Habeas Corpus Petition stands disposed of accordingly.

Sd/-

Assistant Registrar (AD II)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Superintendent of Police,  
Thanjavur District,  
Thanjavur.

2. The Deputy Superintendent of Police,  
Vallam, Thanjavur District.

3.The Inspector of Police,  
Taluk Police Station,  
Thanjavur District.

4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1cc to Mr.P.EDIN BROUGH, Advocate, SR.No. 73075

**H.C.P(MD)No.408 of 2019**  
**03.07.2019**

**SSL**

**KK/SAR/16.07.2019/2P-6C**